

Union Calendar No. 9

113TH CONGRESS
1ST SESSION

H. R. 803

[Report No. 113–14, Part I]

To reform and strengthen the workforce investment system of the Nation to put Americans back to work and make the United States more competitive in the 21st century.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 2013

Ms. FOXX (for herself, Mr. KLINE, Mr. ROE of Tennessee, Mr. ROKITA, Mr. McKEON, Mr. MARCHANT, Mr. SALMON, Mr. GUTHRIE, Mr. DESJARLAIS, Mr. BUCSHON, Mr. HECK of Nevada, Mrs. BROOKS of Indiana, Mr. MESSER, Mrs. ELLMERS, and Mr. STIVERS) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committees on the Judiciary, Agriculture, Veterans' Affairs, Energy and Commerce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

MARCH 12, 2013

Additional sponsors: Mrs. ROBY, Mr. POE of Texas, Mr. HUDSON, Mr. HUELSKAMP, Mr. WALDEN, Mr. RADEL, Mr. GRIFFIN of Arkansas, Mr. FLORES, and Mr. KELLY

MARCH 12, 2013

Reported from the Committee on Education and the Workforce with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

MARCH 12, 2013

The Committees on the Judiciary, Agriculture, Veterans' Affairs, Energy and Commerce, and Transportation and Infrastructure discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on February 25, 2013]

A BILL

To reform and strengthen the workforce investment system of the Nation to put Americans back to work and make the United States more competitive in the 21st century.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Supporting Knowledge*
 5 *and Investing in Lifelong Skills Act” or the “SKILLS Act”.*

6 **SEC. 2. TABLE OF CONTENTS.**

7 *The table of contents for this Act is as follows:*

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. References.

Sec. 4. Effective date.

TITLE I—AMENDMENTS TO THE WORKFORCE INVESTMENT ACT OF
 1998

Subtitle A—Workforce Investment Definitions

Sec. 101. Definitions.

Subtitle B—Statewide and Local Workforce Investment Systems

Sec. 102. Purpose.

Sec. 103. State workforce investment boards.

Sec. 104. State plan.

Sec. 105. Local workforce investment areas.

Sec. 106. Local workforce investment boards.

Sec. 107. Local plan.

Sec. 108. Establishment of one-stop delivery system.

Sec. 109. Identification of eligible providers of training services.

Sec. 110. General authorization.

Sec. 111. State allotments.

Sec. 112. Within State allocations.

Sec. 113. Use of funds for employment and training activities.

Sec. 114. Performance accountability system.

Sec. 115. Authorization of appropriations.

Subtitle C—Job Corps

Sec. 116. Job Corps purposes.

Sec. 117. Job Corps definitions.

Sec. 118. Individuals eligible for the Job Corps.

Sec. 119. Recruitment, screening, selection, and assignment of enrollees.

Sec. 120. Job Corps centers.

Sec. 121. Program activities.

Sec. 122. Counseling and job placement.

Sec. 123. Support.

Sec. 124. Operations.

Sec. 125. Community participation.

- Sec. 126. Workforce councils.*
Sec. 127. Technical assistance.
Sec. 128. Special provisions.
Sec. 129. Performance accountability management.

Subtitle D—National Programs

- Sec. 130. Technical assistance.*
Sec. 131. Evaluations.

Subtitle E—Administration

- Sec. 132. Requirements and restrictions.*
Sec. 133. Prompt allocation of funds.
Sec. 134. Fiscal controls; sanctions.
Sec. 135. Reports to Congress.
Sec. 136. Administrative provisions.
Sec. 137. State legislative authority.
Sec. 138. General program requirements.
Sec. 139. Federal agency staff.

Subtitle F—State Unified Plan

- Sec. 140. State unified plan.*

TITLE II—ADULT EDUCATION AND FAMILY LITERACY EDUCATION

- Sec. 201. Amendment.*

TITLE III—AMENDMENTS TO THE WAGNER-PEYSER ACT

- Sec. 301. Amendments to the Wagner-Peyser Act.*

TITLE IV—REPEALS AND CONFORMING AMENDMENTS

- Sec. 401. Repeals.*
Sec. 402. Amendment to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.
Sec. 403. Amendments to the Food and Nutrition Act of 2008.
Sec. 404. Amendments to section 412 of the Immigration and Nationality Act.
Sec. 405. Amendments relating to the Second Chance Act of 2007.
Sec. 406. Amendments to the Omnibus Crime Control and Safe Streets Act of 1968.
Sec. 407. Conforming amendments to the United States Code.
Sec. 408. Conforming amendment to table of contents.

TITLE V—AMENDMENTS TO THE REHABILITATION ACT OF 1973

- Sec. 501. Findings.*
Sec. 502. Rehabilitation services administration.
Sec. 503. Definitions.
Sec. 504. State plan.
Sec. 505. Scope of services.
Sec. 506. Standards and indicators.
Sec. 507. Collaboration with industry.
Sec. 508. Reservation for expanded transition services.
Sec. 509. Client assistance program.
Sec. 510. Title III amendments.

Sec. 511. Repeal of title VI.

Sec. 512. Chairperson.

Sec. 513. Authorizations of appropriations.

Sec. 514. Conforming amendments.

1 **SEC. 3. REFERENCES.**

2 *Except as otherwise expressly provided, wherever in*
 3 *this Act an amendment or repeal is expressed in terms of*
 4 *an amendment to, or repeal of, a section or other provision,*
 5 *the amendment or repeal shall be considered to be made*
 6 *to a section or other provision of the Workforce Investment*
 7 *Act of 1998 (29 U.S.C. 9201 et seq.).*

8 **SEC. 4. EFFECTIVE DATE.**

9 *Except as otherwise provided, this Act and the amend-*
 10 *ments made by this Act shall be effective with respect to*
 11 *fiscal year 2014 and succeeding fiscal years.*

12 **TITLE I—AMENDMENTS TO THE**
 13 **WORKFORCE INVESTMENT**
 14 **ACT OF 1998**
 15 **Subtitle A—Workforce Investment**
 16 **Definitions**

17 **SEC. 101. DEFINITIONS.**

18 *Section 101 (29 U.S.C. 2801) is amended—*

19 *(1) by striking paragraphs (13) and (24);*

20 *(2) by redesignating paragraphs (1) through (12)*

21 *as paragraphs (3) through (14), and paragraphs (14)*

22 *through (23) as paragraphs (15) through (24), respec-*

23 *tively;*

1 (3) *by striking paragraphs (52) and (53);*

2 (4) *by inserting after “In this title:” the fol-*
3 *lowing new paragraphs:*

4 “(1) *ACCRUED EXPENDITURES.—The term ‘ac-*
5 *crued expenditures’ means charges incurred by recipi-*
6 *ents of funds under this title for a given period re-*
7 *quiring the provision of funds for goods or other tan-*
8 *gible property received; services performed by employ-*
9 *ees, contractors, subgrantees, subcontractors, and other*
10 *payees; and other amounts becoming owed under pro-*
11 *grams assisted under this title for which no current*
12 *services or performance is required, such as annuities,*
13 *insurance claims, and other benefit payments.*

14 “(2) *ADMINISTRATIVE COSTS.—The term ‘admin-*
15 *istrative costs’ means expenditures incurred by State*
16 *and local workforce investment boards, direct recipi-*
17 *ents (including State grant recipients under subtitle*
18 *B and recipients of awards under subtitles C and D),*
19 *local grant recipients, local fiscal agents or local*
20 *grant subrecipients, and one-stop operators in the*
21 *performance of administrative functions and in car-*
22 *rying out activities under this title which are not re-*
23 *lated to the direct provision of workforce investment*
24 *services (including services to participants and em-*

1 *ployers). Such costs include both personnel and non-*
2 *personnel and both direct and indirect.”;*

3 *(5) in paragraph (3) (as so redesignated), by*
4 *striking “Except in sections 127 and 132, the” and*
5 *inserting “The”;*

6 *(6) by amending paragraph (5) (as so redesign-*
7 *ated) to read as follows:*

8 *“(5) AREA CAREER AND TECHNICAL EDUCATION*
9 *SCHOOL.—The term ‘area career and technical edu-*
10 *cation school’ has the meaning given the term in sec-*
11 *tion 3(3) of the Carl D. Perkins Career and Technical*
12 *Education Act of 2006 (20 U.S.C. 2302(3)).”;*

13 *(7) in paragraph (6) (as so redesignated), by in-*
14 *serting “(or such other level as the Governor may es-*
15 *tablish)” after “8th grade level”;*

16 *(8) in paragraph (10)(C) (as so redesignated), by*
17 *striking “not less than 50 percent of the cost of the*
18 *training” and inserting “a significant portion of the*
19 *cost of training, as determined by the local board (or,*
20 *in the case of an employer in multiple local areas in*
21 *the State, as determined by the Governor), taking into*
22 *account the size of the employer and such other factors*
23 *as the local board determines to be appropriate”;*

24 *(9) in paragraph (11) (as so redesignated)—*

1 (A) in subparagraph (A)(ii)(II), by striking
2 “section 134(c)” and inserting “section 121(e)”;

3 (B) in subparagraph (B)(iii)—

4 (i) by striking “134(d)(4)” and insert-
5 ing “134(c)(4)”; and

6 (ii) by striking “intensive services de-
7 scribed in section 134(d)(3)” and inserting
8 “work ready services described in section
9 117(d)(5)(C)”;

10 (C) in subparagraph (C), by striking “or”
11 after the semicolon;

12 (D) in subparagraph (D), by striking the
13 period and inserting “; or”; and

14 (E) by adding at the end the following:

15 “(E)(i) is the spouse of a member of the
16 Armed Forces on active duty for a period of
17 more than 30 days (as defined in section
18 101(d)(2) of title 10, United States Code) who
19 has experienced a loss of employment as a direct
20 result of relocation to accommodate a permanent
21 change in duty station of such member; or

22 “(ii) is the spouse of a member of the
23 Armed Forces on active duty who meets the cri-
24 teria described in paragraph (12)(B).”;

25 (10) in paragraph (12)(A) (as redesignated)—

1 (A) by striking “and” after the semicolon
2 and inserting “or”;

3 (B) by striking “(A)” and inserting
4 “(A)(i)”; and

5 (C) by adding at the end the following:

6 “(i) is the spouse of a member of the
7 Armed Forces on active duty for a period of
8 more than 30 days (as defined in section
9 101(d)(2) of title 10, United States Code) whose
10 family income is significantly reduced because of
11 a deployment (as defined in section 991(b) of
12 title 10, United States Code, or pursuant to
13 paragraph (4) of such section), a call or order to
14 active duty pursuant to a provision of law re-
15 ferred to in section 101(a)(13)(B) of title 10,
16 United States Code, a permanent change of sta-
17 tion, or the service-connected (as defined in sec-
18 tion 101(16) of title 38, United States Code)
19 death or disability of the member; and”;

20 (11) in paragraph (13) (as so redesignated), by
21 inserting “or regional” after “local” each place it ap-
22 pears;

23 (12) in paragraph (14) (as so redesignated)—

24 (A) in subparagraph (A), by striking “sec-
25 tion 122(e)(3)” and inserting “section 122”;

1 (B) by striking subparagraph (B), and in-
2 serting the following:

3 “(B) work ready services, means a provider
4 who is identified or awarded a contract as de-
5 scribed in section 117(d)(5)(C); or”;

6 (C) by striking subparagraph (C); and

7 (D) by redesignating subparagraph (D) as
8 subparagraph (C).

9 (13) in paragraph (15) (as so redesignated), by
10 striking “adult or dislocated worker” and inserting
11 “individual”;

12 (14) in paragraph (25)—

13 (A) in subparagraph (B), by striking “high-
14 er of—” and all that follows through clause (ii)
15 and inserting “poverty line for an equivalent pe-
16 riod;”;

17 (B) by redesignating subparagraphs (D)
18 through (F) as subparagraphs (E) through (G),
19 respectively; and

20 (C) by inserting after subparagraph (C) the
21 following:

22 “(D) receives or is eligible to receive free or
23 reduced price lunch under the Richard B. Russell
24 National School Lunch Act (42 U.S.C. 1751 et
25 seq.);”;

1 (15) in paragraph (32), by striking “the Republic
2 of the Marshall Islands, the Federated States of
3 Micronesia,”;

4 (16) by amending paragraph (33) to read as follows:
5

6 “(33) *OUT-OF-SCHOOL YOUTH.*—The term ‘out-
7 of-school youth’ means—

8 “(A) an at-risk youth who is a school drop-
9 out; or

10 “(B) an at-risk youth who has received a
11 secondary school diploma or its recognized equiv-
12 alent but is basic skills deficient, unemployed, or
13 underemployed.”.

14 (17) in paragraph (38), by striking
15 “134(a)(1)(A)” and inserting “134(a)(1)(B)”;

16 (18) by amending paragraph (49) to read as follows:
17

18 “(49) *VETERAN.*—The term ‘veteran’ has the
19 same meaning given the term in section 2108(1) of
20 title 5, United States Code.”;

21 (19) by amending paragraph (50) to read as follows:
22

23 “(50) *CAREER AND TECHNICAL EDUCATION.*—
24 The term ‘career and technical education’ has the
25 meaning given the term in section 3 of the Carl D.

1 *Perkins Career and Technical Education Act of 2006*
2 *(20 U.S.C. 2302).”;*

3 *(20) in paragraph (51) by striking “, and a*
4 *youth activity”;* and

5 *(21) by adding at the end the following:*

6 *“(52) AT-RISK YOUTH.—Except as provided in*
7 *subtitle C, the term ‘at-risk youth’ means an indi-*
8 *vidual who—*

9 *“(A) is not less than age 16 and not more*
10 *than age 24;*

11 *“(B) is a low-income individual; and*

12 *“(C) is an individual who is one or more*
13 *of the following:*

14 *“(i) a secondary school dropout;*

15 *“(ii) a youth in foster care (including*
16 *youth aging out of foster care);*

17 *“(iii) a youth offender;*

18 *“(iv) a youth who is an individual*
19 *with a disability; or*

20 *“(v) a migrant youth.*

21 *“(53) INDUSTRY OR SECTOR PARTNERSHIP.—The*
22 *term ‘industry or sector partnership’ means a part-*
23 *nership of a State or local board and one or more in-*
24 *dustries and other entities that have the capability to*
25 *help the State or local board determine the immediate*

1 *and long term skilled workforce needs of in-demand*
2 *industries and other occupations important to the*
3 *State or local economy, respectively.*

4 “(54) *INDUSTRY-RECOGNIZED CREDENTIAL.—*
5 *The term ‘industry-recognized credential’ means a*
6 *credential that is sought or accepted by companies*
7 *within the industry sector involved, across multiple*
8 *States, as recognized, preferred, or required for re-*
9 *ruitment, screening, or hiring.*

10 “(55) *RECOGNIZED POSTSECONDARY CREDEN-*
11 *TIAL.—The term ‘recognized postsecondary credential’*
12 *means a credential awarded by a training provider*
13 *or postsecondary educational institution based on*
14 *completion of all requirements for a program of*
15 *study, including coursework or tests or other perform-*
16 *ance evaluations. The term includes an industry-rec-*
17 *ognized credential, a certificate of completion of an*
18 *apprenticeship, or an associate or baccalaureate de-*
19 *gree.*

20 “(56) *PAY-FOR-PERFORMANCE CONTRACT STRAT-*
21 *EGY.—The term ‘pay-for-performance contract strat-*
22 *egy’ means a strategy in which a contract to provide*
23 *a program of employment and training activities in-*
24 *corporates—*

1 “(A) the performance outcome described in
2 subclauses (I) through (IV) of section
3 136(b)(2)(A)(i);

4 “(B) a fixed amount that will be paid to a
5 provider of such employment and training ac-
6 tivities for each program participant who
7 achieves the agreed to levels of performance based
8 upon the outcome measures described in sub-
9 paragraph (A), within a defined timetable, and
10 may include a bonus payment to such provider
11 which may be used to expand the capacity of
12 such provider;

13 “(C) the ability for a provider to recoup the
14 costs of training a participant who has not met
15 such outcome measures, but for whom the pro-
16 vider is able to demonstrate that such partici-
17 pant gained specific competencies required for
18 education and career advancement that are,
19 where feasible, tied to industry-recognized cre-
20 dentials and related standards, or State licensing
21 requirements; and

22 “(D) the ability for a provider that does not
23 meet the requirements under section 122(a)(2) to
24 participate in such pay-for-performance contract
25 and to not be required to report on the perform-

1 *ance and cost information required under section*
 2 *122(d).”.*

3 ***Subtitle B—Statewide and Local***
 4 ***Workforce Investment Systems***

5 ***SEC. 102. PURPOSE.***

6 *Section 106 (29 U.S.C. 2811) is amended by adding*
 7 *at the end the following: “It is also the purpose of this sub-*
 8 *title to provide workforce investment activities in a manner*
 9 *that enhances employer engagement, promotes customer*
 10 *choices in the selection of training services, and ensures ac-*
 11 *countability in the use of the taxpayer funds.”.*

12 ***SEC. 103. STATE WORKFORCE INVESTMENT BOARDS.***

13 *Section 111 (29 U.S.C. 2821) is amended—*

14 *(1) in subsection (b)—*

15 *(A) in paragraph (1)—*

16 *(i) by striking subparagraph (B);*

17 *(ii) by redesignating subparagraph (C)*

18 *as subparagraph (B); and*

19 *(iii) in subparagraph (B) (as so redес-*
 20 *ignated)—*

21 *(I) by amending clause (i)(I), by*
 22 *striking “section 117(b)(2)(A)(i)” and*
 23 *inserting “section 117(b)(2)(A)”;*

24 *(II) by amending clause (i)(II) to*
 25 *read as follows:*

1 “(II) represent businesses, includ-
2 ing large and small businesses, with
3 immediate and long-term employment
4 opportunities in in-demand industries
5 and other occupations important to the
6 State economy; and”;

7 (III) by striking clause (iii) and
8 inserting the following:

9 “(iii) a State agency official respon-
10 sible for economic development; and”;

11 (IV) by striking clauses (iv)
12 through (vi);

13 (V) by amending clause (vii) to
14 read as follows:

15 “(vii) such other representatives and
16 State agency officials as the Governor may
17 designate, including—

18 “(I) members of the State legisla-
19 ture;

20 “(II) representatives of individ-
21 uals and organizations that have expe-
22 rience with respect to youth activities;

23 “(III) representatives of individ-
24 uals and organizations that have expe-
25 rience and expertise in the delivery of

1 *workforce investment activities, includ-*
2 *ing chief executive officers of commu-*
3 *nity colleges and community-based or-*
4 *ganizations within the State;*

5 *“(IV) representatives of the lead*
6 *State agency officials with responsi-*
7 *bility for the programs and activities*
8 *that are described in section 121(b)*
9 *and carried out by one-stop partners;*
10 *or*

11 *“(V) representatives of veterans*
12 *service organizations.”; and*

13 *(VI) by redesignating clause (vii)*
14 *(as so amended) as clause (iv); and*

15 *(B) by amending paragraph (3) to read as*
16 *follows:*

17 *“(3) MAJORITY.—A $\frac{2}{3}$ majority of the members*
18 *of the board shall be representatives described in*
19 *paragraph (1)(B)(i).”;*

20 *(2) in subsection (c), by striking “(b)(1)(C)(i)”*
21 *and inserting “(b)(1)(B)(i)”;*

22 *(3) by amending subsection (d) to read as fol-*
23 *lows:*

24 *“(d) FUNCTIONS.—The State board shall assist the*
25 *Governor of the State as follows:*

1 “(1) *STATE PLAN.*—Consistent with section 112,
2 develop a State plan.

3 “(2) *STATEWIDE WORKFORCE DEVELOPMENT*
4 *SYSTEM.*—Review and develop statewide policies and
5 programs in the State in a manner that supports a
6 comprehensive Statewide workforce development sys-
7 tem that will result in meeting the workforce needs of
8 the State and its local areas. Such review shall in-
9 clude determining whether the State should consoli-
10 date additional programs into the Workforce Invest-
11 ment Fund in accordance with section 501(e).

12 “(3) *WORKFORCE AND LABOR MARKET INFORMA-*
13 *TION SYSTEM.*—Develop a statewide workforce and
14 labor market information system described in section
15 15(e) of the Wagner-Peyser Act, which may include
16 using existing information conducted by the State
17 economic development entity or related entity in de-
18 veloping such system.

19 “(4) *EMPLOYER ENGAGEMENT.*—Develop strate-
20 gies across local areas that meet the needs of employ-
21 ers and support economic growth in the State by en-
22 hancing communication, coordination, and collabora-
23 tion among employers, economic development entities,
24 and service providers.

1 “(5) *DESIGNATION OF LOCAL AREAS.*—*Designate*
2 *local areas as required under section 116.*

3 “(6) *ONE-STOP DELIVERY SYSTEM.*—*Identify*
4 *and disseminate information on best practices for ef-*
5 *fective operation of one-stop centers, including use of*
6 *innovative business outreach, partnerships, and serv-*
7 *ice delivery strategies.*

8 “(7) *PROGRAM OVERSIGHT.*—*Conduct the fol-*
9 *lowing program oversight:*

10 “(A) *Reviewing and approving local plans*
11 *under section 118.*

12 “(B) *Ensuring the appropriate use and*
13 *management of the funds provided for State em-*
14 *ployment and training activities authorized*
15 *under section 134.*

16 “(C) *Preparing an annual report to the*
17 *Secretary described in section 136(d).*

18 “(8) *DEVELOPMENT OF PERFORMANCE MEAS-*
19 *URES.*—*Develop and ensure continuous improvement*
20 *of comprehensive State performance measures, includ-*
21 *ing State adjusted levels of performance, as described*
22 *under section 136(b).”;*

23 (4) *by striking subsection (e) and redesignating*
24 *subsection (f) as subsection (e);*

1 (5) in subsection (e) (as so redesignated), by in-
2 serting “or participate in any action taken” after
3 “vote”;

4 (6) by inserting after subsection (e) (as so redesi-
5 gnated), the following:

6 “(f) *STAFF*.—The State board may employ staff to as-
7 sist in carrying out the functions described in subsection
8 (d).”; and

9 (7) in subsection (g), by inserting “electronic
10 means and” after “on a regular basis through”.

11 **SEC. 104. STATE PLAN.**

12 Section 112 (29 U.S.C. 2822)—

13 (1) in subsection (a)—

14 (A) by striking “127 or”; and

15 (B) by striking “5-year strategy” and in-
16 serting “3-year strategy”;

17 (2) in subsection (b)—

18 (A) by amending paragraph (4) to read as
19 follows:

20 “(4) information describing—

21 “(A) the economic conditions in the State;

22 “(B) the immediate and long-term skilled
23 workforce needs of in-demand industries, small
24 businesses, and other occupations important to
25 the State economy;

1 “(C) the knowledge and skills of the work-
2 force in the State; and

3 “(D) workforce development activities (in-
4 cluding education and training) in the State;”;

5 (B) by amending paragraph (7) to read as
6 follows:

7 “(7) a description of the State criteria for deter-
8 mining the eligibility of training providers in accord-
9 ance with section 122, including how the State will
10 take into account the performance of providers and
11 whether the training programs relate to occupations
12 that are in-demand;”;

13 (C) by amending paragraph (8) to read as
14 follows:

15 “(8)(A) a description of the procedures that will
16 be taken by the State to assure coordination of, and
17 avoid duplication among, the programs and activities
18 identified under section 501(b)(2); and

19 “(B) a description of common data collection
20 and reporting processes used for the programs and ac-
21 tivities described in subparagraph (A), which are car-
22 ried out by one-stop partners, including—

23 “(i) assurances that such processes use
24 quarterly wage records for performance measures

1 *described in section 136(b)(2)(A) that are appli-*
2 *cable to such programs or activities; or*

3 *“(ii) if such wage records are not being used*
4 *for the performance measures, an identification*
5 *of the barriers to using such wage records and a*
6 *description of how the State will address such*
7 *barriers within one year of the approval of the*
8 *plan;”;*

9 *(D) in paragraph (9), by striking “, includ-*
10 *ing comment by representatives of businesses and*
11 *representatives of labor organizations,”;*

12 *(E) in paragraph (11), by striking “under*
13 *sections 127 and 132” and inserting “under sec-*
14 *tion 132”;*

15 *(F) by striking paragraph (12);*

16 *(G) by redesignating paragraphs (13)*
17 *through (18) as paragraphs (12) through (17),*
18 *respectively;*

19 *(H) in paragraph (12) (as so redesignated),*
20 *by striking “111(f)” and inserting “111(e)”;*

21 *(I) in paragraph (13) (as so redesignated),*
22 *by striking “134(c)” and inserting “121(e)”;*

23 *(J) in paragraph (14) (as so redesignated),*
24 *by striking “116(a)(5)” and inserting*
25 *“116(a)(4)”;*

1 (K) in paragraph (16) (as so redesign-
2 nated)—

3 (i) in subparagraph (A)—

4 (I) in clause (ii), by striking “to
5 dislocated workers”;

6 (II) in clause (iii), by striking
7 “134(d)(4)” and inserting “134(c)(4)”;

8 (III) by striking “and” at the end
9 of clause (iii);

10 (IV) by amending clause (iv) to
11 read as follows:

12 “(iv) how the State will serve the em-
13 ployment and training needs of dislocated
14 workers (including displaced homemakers),
15 low-income individuals (including recipi-
16 ents of public assistance such as supple-
17 mental nutrition assistance program bene-
18 fits pursuant to the Food and Nutrition Act
19 of 2008 (7 U.S.C. 2011 et seq.)), long-term
20 unemployed individuals (including individ-
21 uals who have exhausted entitlement to
22 State and Federal unemployment com-
23 pensation), English learners, homeless indi-
24 viduals, individuals training for nontradi-
25 tional employment, youth (including out-of-

1 *school youth and at-risk youth), older work-*
2 *ers, ex-offenders, migrant and seasonal*
3 *farmworkers, refugee and entrants, veterans*
4 *(including disabled and homeless veterans),*
5 *and Native Americans; and”;* and

6 *(V) by adding at the end the fol-*
7 *lowing new clause:*

8 *“(v) how the State will—*

9 *“(I) consistent with section 188*
10 *and Executive Order 13217 (42 U.S.C.*
11 *12131 note), serve the employment and*
12 *training needs of individuals with dis-*
13 *abilities; and*

14 *“(II) consistent with sections 504*
15 *and 508 of the Rehabilitation Act of*
16 *1973, include the provision of outreach,*
17 *intake, assessments, and service deliv-*
18 *ery, the development of performance*
19 *measures, the training of staff, and*
20 *other aspects of accessibility to pro-*
21 *grams and services under this sub-*
22 *title;”;* and

23 *(ii) in subparagraph (B), by striking*
24 *“to the extent practicable” and inserting*
25 *“in accordance with the requirements of the*

1 *Jobs for Veterans Act (Public Law 107–288)*
2 *and the amendments made by such Act”;*
3 *and*

4 *(L) by striking paragraph (17) (as so reded-*
5 *ignated) and inserting the following:*

6 “*(17) a description of the strategies and services*
7 *that will be used in the State—*

8 “*(A) to more fully engage employers, in-*
9 *cluding small businesses and employers in in-de-*
10 *mand industries and occupations important to*
11 *the State economy;*

12 “*(B) to meet the needs of employers in the*
13 *State; and*

14 “*(C) to better coordinate workforce develop-*
15 *ment programs with economic development ac-*
16 *tivities;*

17 “*(18) a description of how the State board will*
18 *convene (or help to convene) industry or sector part-*
19 *nerships that lead to collaborative planning, resource*
20 *alignment, and training efforts across multiple firms*
21 *for a range of workers employed or potentially em-*
22 *ployed by a targeted industry cluster—*

23 “*(A) to encourage industry growth and*
24 *competitiveness and to improve worker training,*

1 *retention, and advancement in targeted industry*
2 *clusters;*

3 “(B) *to address the immediate and long-*
4 *term skilled workforce needs of in-demand indus-*
5 *tries and other occupations important to the*
6 *State economy, and*

7 “(C) *to address critical skill gaps within*
8 *and across industries;*

9 “(19) *a description of how the State will utilize*
10 *technology to facilitate access to services in remote*
11 *areas, which may be used throughout the State;*

12 “(20) *a description of the State strategy and as-*
13 *sistance to be provided for encouraging regional co-*
14 *operation within the State and across State borders,*
15 *as appropriate;*

16 “(21) *a description of the actions that will be*
17 *taken by the State to foster communication, coordina-*
18 *tion, and partnerships with non-profit organizations*
19 *(including public libraries, community, faith-based,*
20 *and philanthropic organizations) that provide em-*
21 *ployment-related, training, and complementary serv-*
22 *ices, to enhance the quality and comprehensiveness of*
23 *services available to participants under this title;*

24 “(22) *a description of the process and method-*
25 *ology for determining—*

1 “(A) one-stop partner program contribu-
2 tions for the cost of the infrastructure of one-stop
3 centers under section 121(h)(1); and

4 “(B) the formula for allocating such infra-
5 structure funds to local areas under section
6 121(h)(3);

7 “(23) a description of the strategies and services
8 that will be used in the State to assist at-risk youth
9 and out-of-school youth in acquiring the education
10 and skills, credentials (including recognized postsec-
11 ondary credentials and industry-recognized creden-
12 tials), and employment experience to succeed in the
13 labor market, including—

14 “(A) training and internships in in-de-
15 mand industries or occupations important to the
16 State and local economy;

17 “(B) dropout recovery activities that are de-
18 signed to lead to the attainment of a regular sec-
19 ondary school diploma or its recognized equiva-
20 lent, or other State recognized equivalent (in-
21 cluding recognized alternative standards for in-
22 dividuals with disabilities); and

23 “(C) activities combining remediation of
24 academic skills, work readiness training, and
25 work experience, and including linkages to post-

1 *secondary education and training and career-*
 2 *ladder employment; and*

3 “(24) a description of—

4 “(A) how the State will furnish employ-
 5 ment, training, supportive, and placement serv-
 6 ices to veterans, including disabled and homeless
 7 veterans;

8 “(B) the strategies and services that will be
 9 used in the State to assist and expedite re-
 10 integration of homeless veterans into the labor
 11 force; and

12 “(C) the veteran population to be served in
 13 the State.”;

14 (3) in subsection (c), by striking “period, that—
 15 ” all that follows through paragraph (2) and insert-
 16 ing “period, that the plan is inconsistent with the
 17 provisions of this title.”; and

18 (4) in subsection (d), by striking “5-year” and
 19 inserting “3-year”.

20 **SEC. 105. LOCAL WORKFORCE INVESTMENT AREAS.**

21 Section 116 (29 U.S.C. 2831) is amended—

22 (1) in subsection (a)—

23 (A) in paragraph (1)—

24 (i) in subparagraph (A)—

1 (I) by striking “Except as pro-
2 vided in subsection (b), and consistent
3 with paragraphs (2), (3), and (4), in”
4 and inserting “In”; and

5 (II) by striking “127 or”; and

6 (ii) by amending subparagraph (B) to
7 read as follows:

8 “(B) CONSIDERATIONS.—In making the
9 designation of local areas, the Governor shall
10 take into consideration the following:

11 “(i) The extent to which such local
12 areas are consistent with labor market
13 areas.

14 “(ii) The extent to which labor market
15 areas align with economic development re-
16 gions.

17 “(iii) Whether such local areas have
18 the appropriate education and training
19 providers to meet the needs of the local
20 workforce.

21 “(iv) The distance that individuals
22 will need to travel to receive services pro-
23 vided in such local areas.”;

24 (B) by amending paragraph (2) to read as
25 follows:

1 “(2) *TECHNICAL ASSISTANCE.*—*The Secretary*
 2 *shall, if requested by the Governor of a State, provide*
 3 *the State with technical assistance in making the de-*
 4 *terminations required under paragraph (1). The Sec-*
 5 *retary shall not issue regulations governing deter-*
 6 *minations to be made under paragraph (1).”;*

7 *(C) by striking paragraph (3) and inserting*
 8 *the following:*

9 “(3) *DESIGNATION ON RECOMMENDATION OF*
 10 *STATE BOARD.*—*The Governor may approve a request*
 11 *from any unit of general local government (including*
 12 *a combination of such units) for designation as a*
 13 *local area under paragraph (1) if the State board de-*
 14 *termines, taking into account the factors described in*
 15 *clauses (i) through (iv) of paragraph (1)(B), and rec-*
 16 *ommends to the Governor, that such area shall be so*
 17 *designated.”;*

18 *(D) by striking paragraph (4); and*

19 *(E) by redesignating paragraph (5) as*
 20 *paragraph (4);*

21 (2) *by amending subsection (b) to read as fol-*
 22 *lows:*

23 “(b) *SINGLE STATES.*—*Consistent with subsection*
 24 *(a)(1)(B), the Governor may designate a State as a single*
 25 *State local area for the purposes of this title.”; and*

1 (3) *in subsection (c)—*

2 (A) *in paragraph (1), by adding at the end*
3 *the following: “The State may require the local*
4 *boards for the designated region to prepare a*
5 *single regional plan that incorporates the ele-*
6 *ments of the local plan under section 118 and*
7 *that is submitted and approved in lieu of sepa-*
8 *rate local plans under such section.”; and*

9 (B) *in paragraph (2), by striking “employ-*
10 *ment statistics” and inserting “workforce and*
11 *labor market information”.*

12 **SEC. 106. LOCAL WORKFORCE INVESTMENT BOARDS.**

13 *Section 117 (29 U.S.C. 2832) is amended—*

14 (1) *in subsection (b)—*

15 (A) *in paragraph (2)—*

16 (i) *in subparagraph (A)—*

17 (I) *by striking “include—” and*
18 *all that follows through “representa-*
19 *tives” and inserting “include rep-*
20 *resentatives”;*

21 (II) *by striking clauses (ii)*
22 *through (vi);*

23 (III) *by redesignating subclauses*
24 *(I) through (III) as clauses (i) through*
25 *(iii), respectively (and by moving the*

1 margins of such clauses 2 ems to the
2 left);

3 (IV) by striking clause (ii) (as so
4 redesignated) and inserting the fol-
5 lowing:

6 “(ii) represent businesses, including
7 large and small businesses, with immediate
8 and long-term employment opportunities in
9 in-demand industries and other occupations
10 important to the local economy; and”; and

11 (V) by striking the semicolon at
12 the end of clause (iii) (as so redesign-
13 ated) and inserting “; and”; and

14 (ii) by amending subparagraph (B) to
15 read as follows:

16 “(B) may include such other individuals or
17 representatives of entities as the chief elected offi-
18 cial in the local area may determine to be appro-
19 priate, including—

20 “(i) a superintendent of the local sec-
21 ondary school system, the president or chief
22 executive officer of a postsecondary edu-
23 cational institution (including a commu-
24 nity college, where such an entity exists), or

1 *an administrator of local entities providing*
 2 *adult education and literacy activities;*

3 “(ii) *representatives of community-*
 4 *based organizations (including organiza-*
 5 *tions representing individuals with disabil-*
 6 *ities and veterans, for a local area in which*
 7 *such organizations are present); or*

8 “(iii) *representatives of veterans serv-*
 9 *ice organizations.*”;

10 *(B) in paragraph (4)—*

11 *(i) by striking “A majority” and in-*
 12 *serting “A $\frac{2}{3}$ majority”; and*

13 *(ii) by striking “(2)(A)(i)” and insert-*
 14 *ing “(2)(A)”;* and

15 *(C) in paragraph (5) by striking*
 16 *“(2)(A)(i)” and inserting “(2)(A)”;*

17 *(2) by striking subsection (c)(1)(C);*

18 *(3) by amending subsection (d) to read as fol-*
 19 *lows:*

20 “(d) *FUNCTIONS OF LOCAL BOARD.—The functions of*
 21 *the local board shall include the following:*

22 “(1) *LOCAL PLAN.—Consistent with section 118,*
 23 *each local board, in partnership with the chief elected*
 24 *official for the local area involved, shall develop and*
 25 *submit a local plan to the Governor.*

1 “(2) *WORKFORCE RESEARCH AND REGIONAL*
2 *LABOR MARKET ANALYSIS.*—

3 “(A) *IN GENERAL.*—*The local board shall—*

4 “(i) *conduct, and regularly update, an*
5 *analysis of—*

6 “(I) *the economic conditions in*
7 *the local area;*

8 “(II) *the immediate and long-*
9 *term skilled workforce needs of in-de-*
10 *mand industries and other occupations*
11 *important to the local economy;*

12 “(III) *the knowledge and skills of*
13 *the workforce in the local area; and*

14 “(IV) *workforce development ac-*
15 *tivities (including education and*
16 *training) in the local area; and*

17 “(ii) *assist the Governor in developing*
18 *the statewide workforce and labor market*
19 *information system described in section*
20 *15(e) of the Wagner-Peyser Act.*

21 “(B) *EXISTING ANALYSIS.*—*A local board*
22 *shall use existing analysis by the local economic*
23 *development entity or related entity in order to*
24 *carry out requirements of subparagraph (A)(i).*

1 “(3) *EMPLOYER ENGAGEMENT.*—*The local Board*
2 *shall meet the needs of employers and support eco-*
3 *nomic growth in the local area by enhancing commu-*
4 *nication, coordination, and collaboration among em-*
5 *ployers, economic development entities, and service*
6 *providers.*

7 “(4) *BUDGET AND ADMINISTRATION.*—

8 “(A) *BUDGET.*—

9 “(i) *IN GENERAL.*—*The local board*
10 *shall develop a budget for the activities of*
11 *the local board in the local area, consistent*
12 *with the requirements of this subsection.*

13 “(ii) *TRAINING RESERVATION.*—*In de-*
14 *veloping a budget under clause (i), the local*
15 *board shall reserve a percentage of funds to*
16 *carry out the activities specified in section*
17 *134(c)(4). The local board shall use the*
18 *analysis conducted under paragraph*
19 *(2)(A)(i) to determine the appropriate per-*
20 *centage of funds to reserve under this clause.*

21 “(B) *ADMINISTRATION.*—

22 “(i) *GRANT RECIPIENT.*—

23 “(I) *IN GENERAL.*—*The chief*
24 *elected official in a local area shall*
25 *serve as the local grant recipient for,*

1 *and shall be liable for any misuse of,*
2 *the grant funds allocated to the local*
3 *area under section 133, unless the chief*
4 *elected official reaches an agreement*
5 *with the Governor for the Governor to*
6 *act as the local grant recipient and*
7 *bear such liability.*

8 “(II) *DESIGNATION.*—*In order to*
9 *assist in administration of the grant*
10 *funds, the chief elected official or the*
11 *Governor, where the Governor serves as*
12 *the local grant recipient for a local*
13 *area, may designate an entity to serve*
14 *as a local grant subrecipient for such*
15 *funds or as a local fiscal agent. Such*
16 *designation shall not relieve the chief*
17 *elected official or the Governor of the*
18 *liability for any misuse of grant funds*
19 *as described in subclause (I).*

20 “(III) *DISBURSAL.*—*The local*
21 *grant recipient or an entity designated*
22 *under subclause (II) shall disburse the*
23 *grant funds for workforce investment*
24 *activities at the direction of the local*
25 *board, pursuant to the requirements of*

1 *this title. The local grant recipient or*
2 *entity designated under subclause (II)*
3 *shall disburse the funds immediately*
4 *on receiving such direction from the*
5 *local board.*

6 “(ii) *STAFF.*—*The local board may*
7 *employ staff to assist in carrying out the*
8 *functions described in this subsection.*

9 “(iii) *GRANTS AND DONATIONS.*—*The*
10 *local board may solicit and accept grants*
11 *and donations from sources other than Fed-*
12 *eral funds made available under this Act.*

13 “(5) *SELECTION OF OPERATORS AND PRO-*
14 *VIDERS.*—

15 “(A) *SELECTION OF ONE-STOP OPERA-*
16 *TORS.*—*Consistent with section 121(d), the local*
17 *board, with the agreement of the chief elected of-*
18 *ficial—*

19 “(i) *shall designate or certify one-stop*
20 *operators as described in section*
21 *121(d)(2)(A); and*

22 “(ii) *may terminate for cause the eligi-*
23 *bility of such operators.*

24 “(B) *IDENTIFICATION OF ELIGIBLE TRAIN-*
25 *ING SERVICE PROVIDERS.*—*Consistent with this*

1 subtitle, the local board shall identify eligible
2 providers of training services described in section
3 134(c)(4) in the local area, annually review the
4 outcome of individual training providers using
5 the criteria under section 122(b)(2), and des-
6 ignate providers in the local area who have dem-
7 onstrated the highest level of success with respect
8 to such indicators as priority providers for the
9 following program year.

10 “(C) IDENTIFICATION OF ELIGIBLE PRO-
11 VIDERS OF WORK READY SERVICES.—If the one-
12 stop operator does not provide the services de-
13 scribed in section 134(c)(2) in the local area, the
14 local board shall identify eligible providers of
15 such services in the local area by awarding con-
16 tracts.

17 “(6) PROGRAM OVERSIGHT.—The local board, in
18 partnership with the chief elected official, shall be re-
19 sponsible for—

20 “(A) ensuring the appropriate use and
21 management of the funds provided for local em-
22 ployment and training activities authorized
23 under section 134(b); and

1 “(B) conducting oversight of the one-stop
2 delivery system in the local area authorized
3 under section 121.

4 “(7) *NEGOTIATION OF LOCAL PERFORMANCE*
5 *MEASURES.—The local board, the chief elected official,*
6 *and the Governor shall negotiate and reach agreement*
7 *on local performance measures as described in section*
8 *136(c).*

9 “(8) *TECHNOLOGY IMPROVEMENTS.—The local*
10 *board shall develop strategies for technology improve-*
11 *ments to facilitate access to services authorized under*
12 *this subtitle and carried out in the local area, includ-*
13 *ing in remote areas.”;*

14 (4) *in subsection (e)—*

15 (A) *by inserting “electronic means and”*
16 *after “regular basis through”; and*

17 (B) *by striking “and the award of grants or*
18 *contracts to eligible providers of youth activi-*
19 *ties,”;*

20 (5) *in subsection (f)—*

21 (A) *in paragraph (1)(A), by striking “sec-*
22 *tion 134(d)(4)” and inserting “section*
23 *134(c)(4)”;* and

24 (B) *by striking paragraph (2) and inserting*
25 *the following:*

1 “(2) *WORK READY SERVICES, DESIGNATION, OR*
 2 *CERTIFICATION AS ONE-STOP OPERATORS.*—A local
 3 board may provide work ready services described in
 4 section 134(c)(2) through a one-stop delivery system
 5 described in section 121 or be designated or certified
 6 as a one-stop operator only with the agreement of the
 7 chief elected official and the Governor.”;

8 (6) in subsection (g)(1), by inserting “or partici-
 9 pate in any action taken” after “vote”; and

10 (7) by striking subsections (h) and (i).

11 **SEC. 107. LOCAL PLAN.**

12 Section 118 (29 U.S.C. 2833) is amended—

13 (1) in subsection (a), by striking “5-year” and
 14 inserting “3-year”;

15 (2) by amending subsection (b) to read as fol-
 16 lows:

17 “(b) *CONTENTS.*—The local plan shall include—

18 “(1) a description of the analysis of the local
 19 area’s economic and workforce conditions conducted
 20 under section 117(d)(2)(A)(i), and an assurance that
 21 the local board will use such analysis to carry out the
 22 activities under this subtitle;

23 “(2) a description of the one-stop delivery system
 24 in the local area, including—

1 “(A) a description of how the local board
2 will ensure—

3 “(i) the continuous improvement of eli-
4 gible providers of services through the sys-
5 tem; and

6 “(ii) that such providers meet the em-
7 ployment needs of local businesses and par-
8 ticipants; and

9 “(B) a description of how the local board
10 will facilitate access to services provided through
11 the one-stop delivery system consistent with sec-
12 tion 117(d)(8);

13 “(3) a description of the strategies and services
14 that will be used in the local area—

15 “(A) to more fully engage employers, in-
16 cluding small businesses and employers in in-de-
17 mand industries and occupations important to
18 the local economy;

19 “(B) to meet the needs of employers in the
20 local area;

21 “(C) to better coordinate workforce develop-
22 ment programs with economic development ac-
23 tivities; and

24 “(D) to better coordinate workforce develop-
25 ment programs with employment, training, and

1 *literacy services carried out by nonprofit organi-*
2 *zations, including public libraries, as appro-*
3 *priate;*

4 “(4) a description of how the local board will
5 *convene (or help to convene) industry or sector part-*
6 *nerships that lead to collaborative planning, resource*
7 *alignment, and training efforts across multiple firms*
8 *for a range of workers employed or potentially em-*
9 *ployed by a targeted industry cluster—*

10 “(A) to encourage industry growth and
11 *competitiveness and to improve worker training,*
12 *retention, and advancement in targeted industry*
13 *clusters;*

14 “(B) to address the immediate and long-
15 *term skilled workforce needs of in-demand indus-*
16 *tries, small businesses, and other occupations im-*
17 *portant to the local economy; and*

18 “(C) to address critical skill gaps within
19 *and across industries;*

20 “(5) a description of how the funds reserved
21 *under section 117(d)(4)(A)(ii) will be used to carry*
22 *out activities described in section 134(c)(4);*

23 “(6) a description of how the local board will co-
24 *ordinate workforce investment activities carried out*

1 *in the local area with statewide activities, as appro-*
2 *priate;*

3 “(7) a description of how the local area will—

4 “(A) coordinate activities with the local
5 area’s disability community and with services
6 provided under section 614(d)(1)(A)(i)(VIII) of
7 the Individuals with Disabilities Education Act
8 (20 U.S.C. 1414(d)(1)(A)(i)(VIII)) by local edu-
9 cational agencies serving such local area to make
10 available comprehensive, high-quality services to
11 individuals with disabilities;

12 “(B) consistent with section 188 and Execu-
13 tive Order 13217 (42 U.S.C. 12131 note), serve
14 the employment and training needs of individ-
15 uals with disabilities; and

16 “(C) consistent with sections 504 and 508 of
17 the Rehabilitation Act of 1973, include the provi-
18 sion of outreach, intake, assessments, and service
19 delivery, the development of performance meas-
20 ures, the training of staff, and other aspects of
21 accessibility to programs and services under this
22 subtitle;

23 “(8) a description of the local levels of perform-
24 ance negotiated with the Governor and chief elected
25 official pursuant to section 136(c), to be—

1 “(A) used to measure the performance of the
2 local area; and

3 “(B) used by the local board for measuring
4 performance of the local fiscal agent (where ap-
5 propriate), eligible providers, and the one-stop
6 delivery system, in the local area;

7 “(9) a description of the process used by the local
8 board, consistent with subsection (c), to provide an
9 opportunity for public comment prior to submission
10 of the plan;

11 “(10) a description of how the local area will
12 serve the employment and training needs of dislocated
13 workers (including displaced homemakers), low-in-
14 come individuals (including recipients of public as-
15 sistance such as the Supplemental Nutrition Assist-
16 ance Program), long-term unemployed individuals
17 (including individuals who have exhausted entitle-
18 ment to State and Federal unemployment compensa-
19 tion), English learners, homeless individuals, individ-
20 uals training for nontraditional employment, youth
21 (including out-of-school youth and at-risk youth),
22 older workers, ex-offenders, migrant and seasonal
23 farmworkers, refugee and entrants, veterans (includ-
24 ing disabled veterans and homeless veterans), and Na-
25 tive Americans;

1 “(11) an identification of the entity responsible
2 for the disbursement of grant funds described in subclause
3 (III) of section 117(d)(4)(B)(i), as determined by the
4 chief elected official or the Governor under such sec-
5 tion;

6 “(12) a description of the strategies and services
7 that will be used in the local area to assist at-risk
8 youth and out-of-school youth in acquiring the edu-
9 cation and skills, credentials (including recognized
10 postsecondary credentials and industry-recognized
11 credentials), and employment experience to succeed in
12 the labor market, including—

13 “(A) training and internships in in-de-
14 mand industries or occupations important to the
15 local economy;

16 “(B) dropout recovery activities that are de-
17 signed to lead to the attainment of a regular sec-
18 ondary school diploma or its recognized equiva-
19 lent, or other State recognized equivalent (in-
20 cluding recognized alternative standards for in-
21 dividuals with disabilities); and

22 “(C) activities combining remediation of
23 academic skills, work readiness training, and
24 work experience, and including linkages to post-

1 *secondary education and training and career-*
2 *ladder employment;*

3 “(13) a description of—

4 “(A) how the local area will furnish em-
5 ployment, training, supportive, and placement
6 services to veterans, including disabled and
7 homeless veterans;

8 “(B) the strategies and services that will be
9 used in the local area to assist and expedite re-
10 integration of homeless veterans into the labor
11 force; and

12 “(C) the veteran population to be served in
13 the local area;

14 “(14) a description of—

15 “(A) the duties assigned to the veteran em-
16 ployment specialist consistent with the require-
17 ments of section 134(f);

18 “(B) the manner in which the veteran em-
19 ployment specialist is integrated into the One-
20 Stop Career System described in section 121;

21 “(C) the date on which the veteran employ-
22 ment specialist was assigned; and

23 “(D) whether the veteran employment spe-
24 cialist has satisfactorily competed such training

1 *by the National Veterans' Employment and*
2 *Training Services Institute; and*

3 “(15) *such other information as the Governor*
4 *may require.*”;

5 (3) *in subsection (c)(1), by striking “such*
6 *means” and inserting “electronic means such”; and*

7 (4) *in subsection (c)(2), by striking “, including*
8 *representatives of business and representatives of*
9 *labor organizations,”.*

10 **SEC. 108. ESTABLISHMENT OF ONE-STOP DELIVERY SYS-**

11 **TEM.**

12 *Section 121 (29 U.S.C. 2841) is amended—*

13 (1) *in subsection (b)—*

14 (A) *by striking subparagraph (A) of para-*
15 *graph (1) and inserting the following:*

16 “(A) *ROLES AND RESPONSIBILITIES OF*
17 *ONE-STOP PARTNERS.—Each entity that carries*
18 *out a program or activities described in subpara-*
19 *graph (B) shall—*

20 “(i) *provide access through the one-stop*
21 *delivery system to the program and activi-*
22 *ties carried out by the entity, including*
23 *making the work ready services described in*
24 *section 134(c)(2) that are applicable to the*
25 *program of the entity available at one-stop*

1 *centers (in addition to any other appro-*
2 *priate locations);*

3 *“(ii) use a portion of the funds avail-*
4 *able to the program of the entity to main-*
5 *tain the one-stop delivery system, including*
6 *payment of the infrastructure costs of one-*
7 *stop centers in accordance with subsection*
8 *(h);*

9 *“(iii) enter into a local memorandum*
10 *of understanding with the local board relat-*
11 *ing to the operation of the one-stop delivery*
12 *system that meets the requirements of sub-*
13 *section (c); and*

14 *“(iv) participate in the operation of*
15 *the one-stop delivery system consistent with*
16 *the terms of the memorandum of under-*
17 *standing, the requirements of this title, and*
18 *the requirements of the Federal laws author-*
19 *izing the programs carried out by the enti-*
20 *ty.”;*

21 *(B) in paragraph (1)(B)—*

22 *(i) by striking clauses (ii), (v), and*
23 *(vi);*

24 *(ii) by redesignating clauses (iii) and*
25 *(iv) as clauses (ii) and (iii), respectively;*

1 (iii) by redesignating clauses (vii)
2 through (xii) as clauses (iv) through (ix),
3 respectively;

4 (iv) in clause (viii), as so redesignated,
5 by striking “and” at the end;

6 (v) in clause (ix), as so redesignated,
7 by striking the period and inserting “;
8 and”; and

9 (vi) by adding at the end the following:

10 “(x) subject to subparagraph (C), pro-
11 grams authorized under part A of title IV
12 of the Social Security Act (42 U.S.C. 601 et
13 seq.).”;

14 (C) by inserting after paragraph (1)(B) the
15 following:

16 “(C) DETERMINATION BY THE GOVERNOR.—
17 Each entity carrying out a program described in
18 subparagraph (B)(x) shall carry out the required
19 partner activities described in subparagraph (A)
20 unless the Governor of the State in which the
21 local area is located provides the Secretary and
22 Secretary of Health and Human Services writ-
23 ten notice of a determination by the Governor
24 that such entities shall not carry out such re-
25 quired partner activities.”; and

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(D) in paragraph (2)—

(i) in subparagraph (A)(i), by striking “section 134(d)(2)” and inserting “section 134(c)(2)”; and

(ii) in subparagraph (B)—

(I) by striking clauses (i), (ii), and (v);

(II) in clause (iv), by striking “and” at the end;

(III) by redesignating clauses (iii) and (iv) as clauses (i) and (ii), respectively; and

(IV) by adding at the end the following:

“(iii) employment and training programs administered by the Commissioner of the Social Security Administration;

“(iv) employment and training programs carried out by the Administrator of the Small Business Administration;

“(v) employment, training, and literacy services carried out by public libraries; and

1 “(vi) other appropriate Federal, State,
2 or local programs, including programs in
3 the private sector.”;

4 (2) in subsection (c)(2), by amending subpara-
5 graph (A) to read as follows:

6 “(A) provisions describing—

7 “(i) the services to be provided through
8 the one-stop delivery system consistent with
9 the requirements of this section, including
10 the manner in which the services will be co-
11 ordinated through such system;

12 “(ii) how the costs of such services and
13 the operating costs of such system will be
14 funded, through cash and in-kind contribu-
15 tions, to provide a stable and equitable
16 funding stream for ongoing one-stop system
17 operations, including the funding of the in-
18 frastructure costs of one-stop centers in ac-
19 cordance with subsection (h);

20 “(iii) methods of referral of individuals
21 between the one-stop operator and the one-
22 stop partners for appropriate services and
23 activities, including referrals for nontradi-
24 tional employment; and

1 “(iv) the duration of the memorandum
2 of understanding and the procedures for
3 amending the memorandum during the
4 term of the memorandum, and assurances
5 that such memorandum shall be reviewed
6 not less than once every 3-year period to en-
7 sure appropriate funding and delivery of
8 services; and”;

9 (3) in subsection (d)—

10 (A) in the heading for paragraph (1), by
11 striking “*DESIGNATION AND CERTIFICATION*”
12 and inserting “*LOCAL DESIGNATION AND CER-*
13 *TIFICATION*”;

14 (B) in paragraph (2)—

15 (i) by striking “section 134(c)” and in-
16 serting “subsection (e)”;

17 (ii) by amending subparagraph (A) to
18 read as follows:

19 “(A) shall be designated or certified as a
20 one-stop operator through a competitive process;
21 and”;

22 (iii) in subparagraph (B), by striking
23 clause (ii) and redesignating clauses (iii)
24 through (vi) as clauses (ii) through (v), re-
25 spectively; and

1 (C) in paragraph (3), by striking “voca-
2 tional” and inserting “career and technical”;

3 (4) by amending subsection (e) to read as fol-
4 lows:

5 “(e) *ESTABLISHMENT OF ONE-STOP DELIVERY SYS-*
6 *TEM.—*

7 “(1) *IN GENERAL.—*There shall be established in
8 a State that receives an allotment under section
9 132(b) a one-stop delivery system, which shall—

10 “(A) provide the work ready services de-
11 scribed in section 134(c)(2);

12 “(B) provide access to training services as
13 described in section 134(c)(4), including serving
14 as the point of access to career enhancement ac-
15 counts for training services to participants in
16 accordance with paragraph (4)(F) of such sec-
17 tion;

18 “(C) provide access to the activities carried
19 out under section 134(d), if any;

20 “(D) provide access to programs and activi-
21 ties carried out by one-stop partners that are de-
22 scribed in subsection (b) of this section; and

23 “(E) provide access to the information de-
24 scribed in section 15(e) of the Wagner-Peyser Act
25 (29 U.S.C. 49l-2(e)).

1 “(2) *ONE-STOP DELIVERY*.—*At a minimum, the*
2 *one-stop delivery system—*

3 “(A) *shall make each of the programs, serv-*
4 *ices, and activities described in paragraph (1)*
5 *accessible at not less than one physical center in*
6 *each local area of the State; and*

7 “(B) *may also make programs, services, and*
8 *activities described in paragraph (1) available—*

9 “(i) *through a network of affiliated*
10 *sites that can provide one or more of the*
11 *programs, services, and activities to indi-*
12 *viduals; and*

13 “(ii) *through a network of eligible one-*
14 *stop partners—*

15 “(I) *in which each partner pro-*
16 *vides one or more of the programs,*
17 *services, and activities to such individ-*
18 *uals and is accessible at an affiliated*
19 *site that consists of a physical location*
20 *or an electronically- or technologically-*
21 *linked access point; and*

22 “(II) *that assures individuals that*
23 *information on the availability of the*
24 *work ready services will be available*
25 *regardless of where the individuals ini-*

1 *tially enter the statewide workforce in-*
2 *vestment system, including informa-*
3 *tion made available through an access*
4 *point described in subclause (I).*

5 *“(3) SPECIALIZED CENTERS.—The centers and*
6 *sites described in paragraph (2) may have a speciali-*
7 *zation in addressing special needs.”; and*

8 *(5) by adding at the end the following:*

9 *“(g) CERTIFICATION OF ONE-STOP CENTERS.—*

10 *“(1) IN GENERAL.—*

11 *“(A) IN GENERAL.—The State board shall*
12 *establish objective procedures and criteria for*
13 *certifying, at least once every 3 years, one-stop*
14 *centers for the purpose of awarding the one-stop*
15 *infrastructure funding described in subsection*
16 *(h).*

17 *“(B) CRITERIA.—The criteria for certifi-*
18 *cation under this subsection shall include—*

19 *“(i) meeting all of the expected levels of*
20 *performance for each of the core indicators*
21 *of performance as outlined in the State plan*
22 *under section 112;*

23 *“(ii) meeting minimum standards re-*
24 *lating to the scope and degree of service in-*
25 *tegration achieved by the centers involving*

1 *the programs provided by the one-stop part-*
2 *ners; and*

3 “(iii) *meeting minimum standards re-*
4 *lating to how the centers ensure that eligible*
5 *providers meet the employment needs of*
6 *local employers and participants.*

7 “(C) *EFFECT OF CERTIFICATION.—One-stop*
8 *centers certified under this subsection shall be el-*
9 *igible to receive the infrastructure grants author-*
10 *ized under subsection (h).*

11 “(2) *LOCAL BOARDS.—Consistent with the cri-*
12 *teria developed by the State, the local board may de-*
13 *velop additional criteria of higher standards to re-*
14 *spond to local labor market and demographic condi-*
15 *tions and trends.*

16 “(h) *ONE-STOP INFRASTRUCTURE FUNDING.—*

17 “(1) *PARTNER CONTRIBUTIONS.—*

18 “(A) *PROVISION OF FUNDS.—Notwith-*
19 *standing any other provision of law, as deter-*
20 *mined under subparagraph (B), a portion of the*
21 *Federal funds provided to the State and areas*
22 *within the State under the Federal laws author-*
23 *izing the one-stop partner programs described in*
24 *subsection (b)(1)(B) and participating addi-*
25 *tional partner programs described in (b)(2)(B)*

1 *for a fiscal year shall be provided to the Gov-*
2 *ernor by such programs to carry out this sub-*
3 *section.*

4 “(B) *DETERMINATION OF GOVERNOR.—*

5 “(i) *IN GENERAL.—Subject to subpara-*
6 *graph (C), the Governor, in consultation*
7 *with the State board, shall determine the*
8 *portion of funds to be provided under sub-*
9 *paragraph (A) by each one-stop partner*
10 *and in making such determination shall*
11 *consider the proportionate use of the one-*
12 *stop centers by each partner, the costs of ad-*
13 *ministration for purposes not related to*
14 *one-stop centers for each partner, and other*
15 *relevant factors described in paragraph (3).*

16 “(ii) *SPECIAL RULE.—In those States*
17 *where the State constitution places policy-*
18 *making authority that is independent of the*
19 *authority of the Governor in an entity or*
20 *official with respect to the funds provided*
21 *for adult education and literacy activities*
22 *authorized under title II of this Act and for*
23 *postsecondary career education activities*
24 *authorized under the Carl D. Perkins Ca-*
25 *reer and Technical Education Act, the de-*

1 *termination described in clause (i) with re-*
2 *spect to such programs shall be made by the*
3 *Governor with the appropriate entity or of-*
4 *ficial with such independent policy-making*
5 *authority.*

6 “(iii) *APPEAL BY ONE-STOP PART-*
7 *NERS.—The Governor shall establish a pro-*
8 *cedure for the one-stop partner admin-*
9 *istering a program described in subsection*
10 *(b) to appeal a determination regarding the*
11 *portion of funds to be contributed under*
12 *this paragraph on the basis that such deter-*
13 *mination is inconsistent with the criteria*
14 *described in the State plan or with the re-*
15 *quirements of this paragraph. Such proce-*
16 *cedure shall ensure prompt resolution of the*
17 *appeal.*

18 “(C) *LIMITATIONS.—*

19 “(i) *PROVISION FROM ADMINISTRATIVE*
20 *FUNDS.—The funds provided under this*
21 *paragraph by each one-stop partner shall be*
22 *provided only from funds available for the*
23 *costs of administration under the program*
24 *administered by such partner, and shall be*
25 *subject to the limitations with respect to the*

1 *portion of funds under such programs that*
2 *may be used for administration.*

3 *“(ii) FEDERAL DIRECT SPENDING PRO-*
4 *GRAMS.—Programs that are Federal direct*
5 *spending under section 250(c)(8) of the Bal-*
6 *anced Budget and Emergency Deficit Con-*
7 *trol Act of 1985 (2 U.S.C. 900(c)(8)) shall*
8 *not, for purposes of this paragraph, be re-*
9 *quired to provide an amount in excess of*
10 *the amount determined to be equivalent to*
11 *the proportionate use of the one-stop centers*
12 *by such programs in the State.*

13 *“(2) ALLOCATION BY GOVERNOR.—From the*
14 *funds provided under paragraph (1), the Governor*
15 *shall allocate funds to local areas in accordance with*
16 *the formula established under paragraph (3) for the*
17 *purposes of assisting in paying the costs of the infra-*
18 *structure of one-stop centers certified under subsection*
19 *(g).*

20 *“(3) ALLOCATION FORMULA.—The State board*
21 *shall develop a formula to be used by the Governor to*
22 *allocate the funds described in paragraph (1). The*
23 *formula shall include such factors as the State board*
24 *determines are appropriate, which may include fac-*
25 *tors such as the number of centers in the local area*

1 *that have been certified, the population served by such*
2 *centers, and the performance of such centers.*

3 “(4) *COSTS OF INFRASTRUCTURE.*—*For purposes*
4 *of this subsection, the term ‘costs of infrastructure’*
5 *means the nonpersonnel costs that are necessary for*
6 *the general operation of a one-stop center, including*
7 *the rental costs of the facilities, the costs of utilities*
8 *and maintenance, and equipment (including assistive*
9 *technology for individuals with disabilities).*

10 “(i) *OTHER FUNDS.*—

11 “(1) *IN GENERAL.*—*In addition to the funds pro-*
12 *vided to carry out subsection (h), a portion of funds*
13 *made available under Federal law authorizing the*
14 *one-stop partner programs described in subsection*
15 *(b)(1)(B) and participating additional partner pro-*
16 *grams described in subsection (b)(2)(B), or the*
17 *noncash resources available under such programs*
18 *shall be used to pay the costs relating to the operation*
19 *of the one-stop delivery system that are not paid for*
20 *from the funds provided under subsection (h), to the*
21 *extent not inconsistent with the Federal law involved*
22 *including—*

23 “(A) *infrastructure costs that are in excess*
24 *of the funds provided under subsection (h);*

1 “(B) common costs that are in addition to
2 the costs of infrastructure; and

3 “(C) the costs of the provision of work ready
4 services applicable to each program.

5 “(2) *DETERMINATION AND GUIDANCE.*—The
6 method for determining the appropriate portion of
7 funds and noncash resources to be provided by each
8 program under paragraph (1) shall be determined as
9 part of the memorandum of understanding under sub-
10 section (c). The State board shall provide guidance to
11 facilitate the determination of appropriate allocation
12 of the funds and noncash resources in local areas.”.

13 **SEC. 109. IDENTIFICATION OF ELIGIBLE PROVIDERS OF**
14 **TRAINING SERVICES.**

15 Section 122 (29 U.S.C. 2842) is amended to read as
16 follows:

17 **“SEC. 122. IDENTIFICATION OF ELIGIBLE PROVIDERS OF**
18 **TRAINING SERVICES.**

19 “(a) *ELIGIBILITY.*—

20 “(1) *IN GENERAL.*—The Governor, after con-
21 sultation with the State board, shall establish criteria
22 and procedures regarding the eligibility of providers
23 of training services described in section 134(c)(4) to
24 receive funds provided under section 133(b) for the
25 provision of such training services.

1 “(2) *PROVIDERS.*—Subject to the provisions of
2 this section, to be eligible to receive the funds provided
3 under section 133(b) for the provision of training
4 services, the provider shall be—

5 “(A) a postsecondary educational institu-
6 tion that—

7 “(i) is eligible to receive Federal funds
8 under title IV of the Higher Education Act
9 of 1965 (20 U.S.C. 1070 et seq.); and

10 “(ii) provides a program that leads to
11 a recognized postsecondary credential;

12 “(B) an entity that carries out programs
13 under the Act of August 16, 1937 (commonly
14 known as the ‘National Apprenticeship Act’; 50
15 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.); or

16 “(C) another public or private provider of
17 a program of training services.

18 “(3) *INCLUSION IN LIST OF ELIGIBLE PRO-*
19 *VIDERS.*—A provider described in subparagraph (A)
20 or (C) of paragraph (2) shall comply with the criteria
21 and procedures established under this section to be in-
22 cluded on the list of eligible providers of training
23 services described in subsection (d). A provider de-
24 scribed in paragraph (2)(B) shall be included on the
25 list of eligible providers of training services described

1 *in subsection (d) for so long as the provider remains*
2 *certified by the Secretary of Labor to carry out the*
3 *programs described in paragraph (2)(B).*

4 “(b) *CRITERIA.—*

5 “(1) *IN GENERAL.—The criteria established pur-*
6 *suant to subsection (a) shall take into account—*

7 “(A) *the performance of providers of train-*
8 *ing services with respect to the performance*
9 *measures described in section 136 and other mat-*
10 *ters for which information is required under*
11 *paragraph (2) and other appropriate measures*
12 *of performance outcomes for those participants*
13 *receiving training services under this subtitle;*

14 “(B) *whether the training programs of such*
15 *providers relate to occupations that are in de-*
16 *mand;*

17 “(C) *the need to ensure access to training*
18 *services throughout the State, including in rural*
19 *areas;*

20 “(D) *the ability of providers to offer pro-*
21 *grams that lead to a recognized postsecondary*
22 *credential;*

23 “(E) *the information such providers are re-*
24 *quired to report to State agencies with respect to*
25 *other Federal and State programs (other than*

1 the program carried out under this subtitle), in-
2 cluding one-stop partner programs; and

3 “(F) such other factors as the Governor de-
4 termines are appropriate.

5 “(2) *INFORMATION.*—The criteria established by
6 the Governor shall require that a provider of training
7 services submit appropriate, accurate, and timely in-
8 formation to the State for purposes of carrying out
9 subsection (d), with respect to participants receiving
10 training services under this subtitle in the applicable
11 program, including—

12 “(A) information on recognized postsec-
13 ondary credentials received by such participants;

14 “(B) information on costs of attendance for
15 such participants;

16 “(C) information on the program comple-
17 tion rate for such participants; and

18 “(D) information on the performance of the
19 provider with respect to the performance meas-
20 ures described in section 136 for such partici-
21 pants.

22 “(3) *RENEWAL.*—The criteria established by the
23 Governor shall also provide for a review every 3 years
24 and renewal of eligibility under this section for pro-
25 viders of training services.

1 “(4) *LOCAL CRITERIA.*—A local board in the
2 State may establish criteria in addition to the cri-
3 teria established by the Governor, or may require
4 higher levels of performance than required under the
5 criteria established by the Governor, for purposes of
6 determining the eligibility of providers of training
7 services to receive funds described in subsection (a) to
8 provide the services in the local area involved.

9 “(5) *LIMITATION.*—In carrying out the require-
10 ments of this subsection, no personally identifiable in-
11 formation regarding a student, including Social Secu-
12 rity number, student identification number, or other
13 identifier, may be disclosed without the prior written
14 consent of the parent or eligible student in compliance
15 with section 444 of the General Education Provisions
16 Act (20 U.S.C. 1232g).

17 “(c) *PROCEDURES.*—The procedures established under
18 subsection (a) shall—

19 “(1) identify—

20 “(A) the application process for a provider
21 of training services to become eligible to receive
22 funds under section 133(b) for the provision of
23 training services; and

24 “(B) the respective roles of the State and
25 local areas in receiving and reviewing applica-

1 *tions and in making determinations of eligibility*
2 *based on the criteria established under this sec-*
3 *tion; and*

4 “(2) *establish a process for a provider of train-*
5 *ing services to appeal a denial or termination of eli-*
6 *gibility under this section that includes an oppor-*
7 *tunity for a hearing and prescribes appropriate time*
8 *limits to ensure prompt resolution of the appeal.*

9 “(d) *INFORMATION TO ASSIST PARTICIPANTS IN*
10 *CHOOSING PROVIDERS.—In order to facilitate and assist*
11 *participants under chapter 5 in choosing providers of train-*
12 *ing services, the Governor shall ensure that an appropriate*
13 *list or lists of providers determined eligible under this sec-*
14 *tion in the State, including information provided under*
15 *subsection (b)(2) with respect to such providers, is provided*
16 *to the local boards in the State and is made available to*
17 *such participants and to members of the public through the*
18 *one-stop delivery system in the State.*

19 “(e) *ENFORCEMENT.—*

20 “(1) *IN GENERAL.—The criteria and procedures*
21 *established under this section shall provide the fol-*
22 *lowing:*

23 “(A) *INTENTIONALLY SUPPLYING INAC-*
24 *CURATE INFORMATION.—Upon a determination,*
25 *by an individual or entity specified in the cri-*

1 *teria or procedures, that a provider of training*
2 *services, or individual providing information on*
3 *behalf of the provider, intentionally supplied in-*
4 *accurate information under this section, the eli-*
5 *gibility of such provider to receive funds under*
6 *chapter 5 shall be terminated for a period of*
7 *time that is not less than 2 years.*

8 *“(B) SUBSTANTIAL VIOLATIONS.—Upon a*
9 *determination, by an individual or entity speci-*
10 *fied in the criteria or procedures, that a provider*
11 *of training services substantially violated any re-*
12 *quirement under this title, the eligibility of such*
13 *provider to receive funds under the program in-*
14 *volved shall be terminated for a period of time*
15 *that is not less than 10 years.*

16 *“(C) REPAYMENT.—A provider of training*
17 *services whose eligibility is terminated under*
18 *subparagraph (A) or (B) shall be liable for the*
19 *repayment of funds received under chapter 5*
20 *during a period of noncompliance described in*
21 *such subparagraph.*

22 *“(2) CONSTRUCTION.—Paragraph (1) shall be*
23 *construed to provide remedies and penalties that sup-*
24 *plement, but do not supplant, other civil and crimi-*
25 *nal remedies and penalties.*

1 “(f) *AGREEMENTS WITH OTHER STATES.*—States
2 *may enter into agreements, on a reciprocal basis, to permit*
3 *eligible providers of training services to accept career en-*
4 *hancement accounts provided in another State.*

5 “(g) *RECOMMENDATIONS.*—*In developing the criteria,*
6 *procedures, and information required under this section, the*
7 *Governor shall solicit and take into consideration the rec-*
8 *ommendations of local boards and providers of training*
9 *services within the State.*

10 “(h) *OPPORTUNITY TO SUBMIT COMMENTS.*—*During*
11 *the development of the criteria, procedures, requirements for*
12 *information, and the list of eligible providers required*
13 *under this section, the Governor shall provide an oppor-*
14 *tunity for interested members of the public to submit com-*
15 *ments regarding such criteria, procedures, and information.*

16 “(i) *ON-THE-JOB TRAINING OR CUSTOMIZED TRAIN-*
17 *ING EXCEPTION.*—

18 “(1) *IN GENERAL.*—*Providers of on-the-job train-*
19 *ing or customized training shall not be subject to the*
20 *requirements of subsections (a) through (d).*

21 “(2) *COLLECTION AND DISSEMINATION OF INFOR-*
22 *MATION.*—*A one-stop operator in a local area shall*
23 *collect such performance information from on-the-job*
24 *training and customized training providers as the*
25 *Governor may require, determine whether the pro-*

1 *viders meet such performance criteria as the Governor*
2 *may require, and disseminate information identifying*
3 *providers that meet the criteria as eligible providers,*
4 *and the performance information, through the one-*
5 *stop delivery system. Providers determined to meet the*
6 *criteria shall be considered to be identified as eligible*
7 *providers of training services.”.*

8 **SEC. 110. GENERAL AUTHORIZATION.**

9 *Chapter 5 of subtitle B of title I is amended—*

10 *(1) by striking the heading for chapter 5 and in-*
11 *serting the following: “**EMPLOYMENT AND***
12 ***TRAINING ACTIVITIES**”; and*

13 *(2) in section 131 (29 U.S.C. 2861)—*

14 *(A) by striking “paragraphs (1)(B) and*
15 *(2)(B) of”; and*

16 *(B) by striking “adults, and dislocated*
17 *workers,” and inserting “individuals”.*

18 **SEC. 111. STATE ALLOTMENTS.**

19 *Section 132 (29 U.S.C. 2862) is amended—*

20 *(1) by amending subsection (a) to read as fol-*
21 *lows:*

22 *“(a) IN GENERAL.—The Secretary shall—*

23 *“(1) reserve $\frac{1}{2}$ of 1 percent of the total amount*
24 *appropriated under section 137 for a fiscal year, of*
25 *which—*

1 “(A) 50 percent shall be used to provide
2 technical assistance under section 170; and

3 “(B) 50 percent shall be used for evalua-
4 tions under section 172;

5 “(2) reserve not more than 1 percent of the total
6 amount appropriated under section 137 for a fiscal
7 year to make grants to, and enter into contracts or
8 cooperative agreements with Indian tribes, tribal or-
9 ganizations, Alaska-Native entities, Indian-controlled
10 organizations serving Indians, or Native Hawaiian
11 organizations to carry out employment and training
12 activities;

13 “(3) reserve not more than 25 percent of the total
14 amount appropriated under section 137 for a fiscal
15 year to carry out the Jobs Corps program under sub-
16 title C;

17 “(4) reserve not more than 3.5 percent of the
18 total amount appropriated under section 137 for a
19 fiscal year to—

20 “(A) make grants to State or local boards to
21 provide employment and training assistance to
22 workers affected by major economic dislocations,
23 such as plant closures, mass layoffs, or closures
24 and realignments of military installations; and

1 “(B) provide assistance to Governors of
2 States with an area that has suffered an emer-
3 gency or a major disaster (as such terms are de-
4 fined in paragraphs (1) and (2), respectively, of
5 section 102 of the Robert T. Stafford Disaster
6 Relief and Emergency Assistance Act (42 U.S.C.
7 5122)) to provide disaster relief employment in
8 the area.

9 “(5) from the remaining amount appropriated
10 under section 137 for a fiscal year (after reserving
11 funds under paragraphs (1) through (4)), make allot-
12 ments in accordance with subsection (b) of this sec-
13 tion.”; and

14 (2) by amending subsection (b) to read as fol-
15 lows:

16 “(b) *WORKFORCE INVESTMENT FUND.*—

17 “(1) *RESERVATION FOR OUTLYING AREAS.*—

18 “(A) *IN GENERAL.*—From the amount made
19 available under subsection (a)(5) for a fiscal
20 year, the Secretary shall reserve not more than
21 $\frac{1}{4}$ of 1 percent to provide assistance to the out-
22 lying areas.

23 “(B) *RESTRICTION.*—The Republic of Palau
24 shall cease to be eligible to receive funding under
25 this subparagraph upon entering into an agree-

1 *ment for extension of United States educational*
2 *assistance under the Compact of Free Association*
3 *(approved by the Compact of Free Association*
4 *Amendments Act of 2003 (Public Law 99–658))*
5 *after the date of enactment of the SKILLS Act.*

6 “(2) STATES.—

7 “(A) *IN GENERAL.*—*After determining the*
8 *amount to be reserved under paragraph (1), the*
9 *Secretary shall allot the remainder of the*
10 *amount referred to in subsection (a)(5) for a fis-*
11 *cal year to the States pursuant to subparagraph*
12 *(B) for employment and training activities and*
13 *statewide workforce investment activities.*

14 “(B) *FORMULA.*—*Subject to subparagraphs*
15 *(C) and (D), of the remainder—*

16 “(i) *25 percent shall be allotted on the*
17 *basis of the relative number of unemployed*
18 *individuals in areas of substantial unem-*
19 *ployment in each State, compared to the*
20 *total number of unemployed individuals in*
21 *areas of substantial unemployment in all*
22 *States;*

23 “(ii) *25 percent shall be allotted on the*
24 *basis of the relative number of individuals*
25 *in the civilian labor force in each State,*

1 *compared to the total number of such indi-*
2 *viduals in all States;*

3 *“(iii) 25 percent shall be allotted on*
4 *the basis of the relative number of individ-*
5 *uals in each State who have been unem-*
6 *ployed for 15 weeks or more, compared to*
7 *the total number of individuals in all States*
8 *who have been unemployed for 15 weeks or*
9 *more; and*

10 *“(iv) 25 percent shall be allotted on the*
11 *basis of the relative number of disadvan-*
12 *tagged youth in each State, compared to the*
13 *total number of disadvantaged youth in all*
14 *States.*

15 *“(C) MINIMUM AND MAXIMUM PERCENT-*
16 *AGES.—*

17 *“(i) MINIMUM PERCENTAGE.—The Sec-*
18 *retary shall ensure that no State shall re-*
19 *ceive an allotment under this paragraph*
20 *for—*

21 *“(I) each of fiscal years 2014*
22 *through 2016, that is less than 100*
23 *percent of the allotment percentage of*
24 *the State for fiscal year 2012; and*

1 “(II) *fiscal year 2017 and each*
2 *succeeding fiscal year, that is less than*
3 *90 percent of the allotment percentage*
4 *of the State for the preceding fiscal*
5 *year.*

6 “(ii) *MAXIMUM PERCENTAGE.—Subject*
7 *to clause (i), the Secretary shall ensure that*
8 *no State shall receive an allotment under*
9 *this paragraph for—*

10 “(I) *each of fiscal years 2014*
11 *through 2016, that is more than 130*
12 *percent of the allotment percentage of*
13 *the State for fiscal year 2012; and*

14 “(II) *fiscal year 2017 and each*
15 *succeeding fiscal year, that is more*
16 *than 130 percent of the allotment per-*
17 *centage of the State for the preceding*
18 *fiscal year.*

19 “(D) *SMALL STATE MINIMUM ALLOT-*
20 *MENT.—Subject to subparagraph (C), the Sec-*
21 *retary shall ensure that no State shall receive an*
22 *allotment under this paragraph for a fiscal year*
23 *that is less than $\frac{1}{5}$ of 1 percent of the remainder*
24 *described in subparagraph (A) for the fiscal*
25 *year.*

1 “(E) *DEFINITIONS.*—*For the purpose of the*
2 *formula specified in this paragraph:*

3 “(i) *ALLOTMENT PERCENTAGE.*—*The*
4 *term ‘allotment percentage’—*

5 “(I) *used with respect to fiscal*
6 *year 2012, means the percentage of the*
7 *amounts allotted to States under title I*
8 *of this Act, title V of the Older Ameri-*
9 *cans Act of 1965 (42 U.S.C. 3056 et*
10 *seq.), the Women in Apprenticeship*
11 *and Nontraditional Occupations Act*
12 *(29 U.S.C. 2501 et seq.), sections*
13 *4103A and 4104 of title 38, United*
14 *States Code, and sections 1 through 14*
15 *of the Wagner-Peyser Act (29 U.S.C.*
16 *49 et seq.), as such provisions were in*
17 *effect for fiscal year 2012, that is re-*
18 *ceived under such provisions by the*
19 *State involved for fiscal year 2012;*
20 *and*

21 “(II) *used with respect to fiscal*
22 *year 2016 or a succeeding fiscal year,*
23 *means the percentage of the amounts*
24 *allotted to States under this paragraph*
25 *for the fiscal year that is received*

1 under this paragraph by the State in-
2 volved for the fiscal year.

3 “(ii) *DISADVANTAGED YOUTH.*—The
4 term ‘disadvantaged youth’ means an indi-
5 vidual who is not less than age 16 and not
6 more than age 24 who receives an income,
7 or is a member of a family that received a
8 total family income, that in relation to
9 family size, does not exceed the higher of—

10 “(I) the poverty line; or

11 “(II) 70 percent of the lower liv-
12 ing standard income level.

13 “(iii) *INDIVIDUAL.*—The term ‘indi-
14 vidual’ means an individual who is age 16
15 or older.”.

16 **SEC. 112. WITHIN STATE ALLOCATIONS.**

17 Section 133 is amended—

18 (1) by amending subsection (a) to read as fol-
19 lows:

20 “(a) *RESERVATIONS FOR STATEWIDE WORKFORCE IN-*
21 *VESTMENT ACTIVITIES.*—

22 “(1) *STATEWIDE EMPLOYMENT AND TRAINING*
23 *ACTIVITIES.*—The Governor of a State shall reserve up
24 to 15 percent of the total amount allotted to the State

1 *under section 132(b)(2) for a fiscal year to carry out*
2 *the statewide activities described in section 134(a).*

3 “(2) *STATEWIDE RAPID RESPONSE ACTIVITIES.*—
4 *Of the amount reserved under paragraph (1) for a fis-*
5 *cal year, the Governor of the State shall reserve not*
6 *more than 25 percent for statewide rapid response ac-*
7 *tivities described in section 134(a)(4).*

8 “(3) *STATEWIDE GRANTS FOR INDIVIDUALS WITH*
9 *BARRIERS TO EMPLOYMENT.*—*Of the amount reserved*
10 *under paragraph (1) for a fiscal year, the Governor*
11 *of a State shall reserve 15 percent to carry out state-*
12 *wide activities described in section 134(a)(5).*

13 “(4) *STATE ADMINISTRATIVE COST LIMIT.*—*Not*
14 *more than 5 percent of the funds reserved under para-*
15 *graph (1) may be used by the Governor of a State for*
16 *administrative costs of carrying out the statewide ac-*
17 *tivities described in section 134(a).”;*

18 (2) *by amending subsection (b) to read as fol-*
19 *lows:*

20 “(b) *WITHIN STATE ALLOCATION.*—

21 “(1) *METHODS.*—*The Governor, acting in ac-*
22 *cordance with the State plan, and after consulting*
23 *with chief elected officials in the local areas, shall—*

24 “(A) *allocate the funds that are allotted to*
25 *the State for employment and training activities*

1 *and not reserved under subsection (a), in accord-*
2 *ance with paragraph (2)(A); and*

3 *“(B) award the funds that are reserved by*
4 *the State under subsection (a)(3) through com-*
5 *petitive grants to eligible entities, in accordance*
6 *with section 134(a)(1)(C).*

7 *“(2) FORMULA ALLOCATIONS FOR THE WORK-*
8 *FORCE INVESTMENT FUND.—*

9 *“(A) ALLOCATION.—In allocating the funds*
10 *described in paragraph (1)(A) to local areas, a*
11 *State shall allocate—*

12 *“(i) 25 percent on the basis described*
13 *in section 132(b)(2)(B)(i);*

14 *“(ii) 25 percent on the basis described*
15 *in section 132(b)(2)(B)(ii);*

16 *“(iii) 25 percent on the basis described*
17 *in section 132(b)(2)(B)(iii); and*

18 *“(iv) 25 percent on the basis described*
19 *in section 132(b)(2)(B)(iv).*

20 *“(B) MINIMUM AND MAXIMUM PERCENT-*
21 *AGES.—*

22 *“(i) MINIMUM PERCENTAGE.—The*
23 *State shall ensure that no local area shall*
24 *receive an allocation under this paragraph*
25 *for—*

1 “(I) each of fiscal years 2014
2 through 2016, that is less than 100
3 percent of the allocation percentage of
4 the local area for fiscal year 2012; and

5 “(II) fiscal year 2017 and each
6 succeeding fiscal year, that is less than
7 90 percent of the allocation percentage
8 of the local area for the preceding fiscal
9 year.

10 “(i) *MAXIMUM PERCENTAGE.*—Subject
11 to clause (i), the State shall ensure that no
12 local area shall receive an allocation for a
13 fiscal year under this paragraph for—

14 “(I) each of fiscal years 2014
15 through 2016, that is more than 130
16 percent of the allocation percentage of
17 the local area for fiscal year 2012; and

18 “(II) fiscal year 2017 and each
19 succeeding fiscal year, that is more
20 than 130 percentage of the allocation
21 percentage of the local area for the pre-
22 ceding fiscal year.

23 “(C) *DEFINITIONS.*—For the purpose of the
24 formula specified in this paragraph, the term
25 ‘allocation percentage’—

1 “(i) used with respect to fiscal year
2 2012, means the percentage of the amounts
3 allocated to local areas under title I of this
4 Act, title V of the Older Americans Act of
5 1965 (42 U.S.C. 3056 et seq.), the Women
6 in Apprenticeship and Nontraditional Oc-
7 cupations Act (29 U.S.C. 2501 et seq.), sec-
8 tions 4103A and 4104 of title 38, United
9 States Code, and sections 1 through 14 of
10 the Wagner-Peyser Act (29 U.S.C. 49 et
11 seq.), as such provisions were in effect for
12 fiscal year 2012, that is received under such
13 provisions by the local area involved for fis-
14 cal year 2012; and

15 “(ii) used with respect to fiscal year
16 2016 or a succeeding fiscal year, means the
17 percentage of the amounts allocated to local
18 areas for the fiscal year under this para-
19 graph that is received under this paragraph
20 by the local area involved for the fiscal
21 year.”;

22 (3) in subsection (c)—

23 (A) by amending paragraph (1) to read as
24 follows:

1 “(1) *IN GENERAL.*—*The Governor, may in ac-*
2 *cordance with this subsection, reallocate to eligible*
3 *local areas within the State amounts that are allo-*
4 *cated under subsection (b) for employment and train-*
5 *ing activities and that are available for realloca-*
6 *tion.*”;

7 (B) *in paragraph (2), by striking “para-*
8 *graph (2)(A) or (3) of subsection (b) for such ac-*
9 *tivities” and inserting “subsection (b) for such*
10 *activities”;*

11 (C) *by amending paragraph (3) to read as*
12 *follows:*

13 “(3) *REALLOCATIONS.*—*In making reallocations*
14 *to eligible local areas of amounts available pursuant*
15 *to paragraph (2) for a program year, the Governor*
16 *shall allocate to each eligible local area within the*
17 *State an amount based on the relative amount allo-*
18 *cated to such local area under subsection (b)(2) for*
19 *such activities for such prior program year, as com-*
20 *pared to the total amount allocated to all eligible*
21 *local areas in the State under subsection (b)(2) for*
22 *such activities for such prior program year.*”;

23 (D) *in paragraph (4), by striking “para-*
24 *graph (2)(A) or (3) of”;* and

1 (4) by adding at the end the following new sub-
2 section:

3 “(d) *LOCAL ADMINISTRATIVE COST LIMIT.*—Of the
4 amounts allocated to a local area under this section for a
5 fiscal year, not more than 10 percent of the amount may
6 be used by the local board involved for the administrative
7 costs of carrying out local workforce investment activities
8 in the local area under this chapter.”.

9 **SEC. 113. USE OF FUNDS FOR EMPLOYMENT AND TRAINING**
10 **ACTIVITIES.**

11 Section 134 is amended—

12 (1) by amending subsection (a) to read as fol-
13 lows:

14 “(a) *STATEWIDE EMPLOYMENT AND TRAINING ACTIVI-*
15 *TIES.*—

16 “(1) *IN GENERAL.*—

17 “(A) *DISTRIBUTION OF STATEWIDE ACTIVI-*
18 *TIES.*—Funds reserved by a Governor for a State
19 as described in section 133(a)(1)—

20 “(i) shall be used to carry out the
21 statewide employment and training activi-
22 ties described in paragraph (2); and

23 “(ii) may be used to carry out any of
24 the statewide employment and training ac-
25 tivities described in paragraph (3).

1 “(B) *STATEWIDE RAPID RESPONSE ACTIVITIES.—Funds reserved by a Governor for a State*
2 *as described in section 133(a)(2) shall be used to*
3 *carry out the statewide rapid response activities*
4 *described in paragraph (4).*

5 “(C) *STATEWIDE GRANTS FOR INDIVIDUALS*
6 *WITH BARRIERS TO EMPLOYMENT.—Funds re-*
7 *served by a Governor for a State as described in*
8 *section 133(a)(3) shall be used to carry out the*
9 *Statewide Grants for Individuals with Barriers*
10 *to Employment competition described in para-*
11 *graph (5).*

12 “(2) *REQUIRED STATEWIDE EMPLOYMENT AND*
13 *TRAINING ACTIVITIES.—A State shall use funds re-*
14 *served as described in section 133(a)(1) to carry out*
15 *statewide employment and training activities, which*
16 *shall include—*

17 “(A) *disseminating the State list of eligible*
18 *providers of training described in section 122(d),*
19 *information identifying eligible providers of on-*
20 *the-job training and customized training de-*
21 *scribed in section 122(i), and performance infor-*
22 *mation and program cost information described*
23 *in section 122(b)(2);*
24

1 “(B) supporting the provision of work ready
2 services described in subsection (c)(2) in the one-
3 stop delivery system;

4 “(C) implementing strategies and services
5 that will be used in the State to assist at-risk
6 youth and out-of-school youth in acquiring the
7 education and skills, recognized postsecondary
8 credentials, and employment experience to suc-
9 ceed in the labor market;

10 “(D) conducting evaluations under section
11 136(e) of activities authorized under this chapter
12 in coordination with evaluations carried out by
13 the Secretary under section 172;

14 “(E) providing technical assistance to local
15 areas that fail to meet local performance meas-
16 ures;

17 “(F) operating a fiscal and management
18 accountability system under section 136(f); and

19 “(G) carrying out monitoring and oversight
20 of activities carried out under this chapter.

21 “(3) ALLOWABLE STATEWIDE EMPLOYMENT AND
22 TRAINING ACTIVITIES.—A State may use funds re-
23 served as described in section 133(a)(1) to carry out
24 statewide employment and training activities which
25 may include—

1 “(A) implementing innovative programs
2 and strategies designed to meet the needs of all
3 employers in the State, including small employ-
4 ers, which may include incumbent worker train-
5 ing programs, sectoral and industry cluster
6 strategies and partnerships, career ladder pro-
7 grams, micro-enterprise and entrepreneurial
8 training and support programs, utilization of ef-
9 fective business intermediaries, activities to im-
10 prove linkages between the one-stop delivery sys-
11 tem in the State and all employers (including
12 small employers) in the State, and other business
13 services and strategies that better engage employ-
14 ers in workforce investment activities and make
15 the workforce investment system more relevant to
16 the needs of State and local businesses, consistent
17 with the objectives of this title;

18 “(B) providing incentive grants to local
19 areas for regional cooperation among local
20 boards (including local boards in a designated
21 region as described in section 116(c)), for local
22 coordination of activities carried out under this
23 Act, and for exemplary performance by local
24 areas on the local performance measures;

1 “(C) developing strategies for effectively in-
2 tegrating programs and services among one-stop
3 partners;

4 “(D) carrying out activities to facilitate re-
5 mote access to services provided through a one-
6 stop delivery system, including facilitating access
7 through the use of technology;

8 “(E) incorporating pay-for-performance
9 contracting strategies, as defined in section
10 101(56), as an element in funding activities
11 under this section and providing technical sup-
12 port to local areas and providers in order to
13 carry out such strategy, which may provide as-
14 sistance with data collection and data entry re-
15 quirements;

16 “(F) carrying out the State option under
17 subsection (f)(8); and

18 “(G) carrying out other activities author-
19 ized under this section that the State determines
20 to be necessary to assist local areas in carrying
21 out activities described in subsection (c) or (d)
22 through the statewide workforce investment sys-
23 tem.

24 “(4) STATEWIDE RAPID RESPONSE ACTIVITIES.—
25 A State shall use funds reserved as described in sec-

1 *tion 133(a)(2) to carry out statewide rapid response*
2 *activities, which shall include—*

3 *“(A) provision of rapid response activities,*
4 *carried out in local areas by the State or by an*
5 *entity designated by the State, working in con-*
6 *junction with the local boards and the chief elect-*
7 *ed officials in the local areas; and*

8 *“(B) provision of additional assistance to*
9 *local areas that experience disasters, mass layoffs*
10 *or plant closings, or other events that precipitate*
11 *substantial increases in the number of unem-*
12 *ployed individuals, carried out in local areas by*
13 *the State or by an entity designated by the*
14 *State, working in conjunction with the local*
15 *boards and the chief elected officials in the local*
16 *areas.*

17 *“(5) STATEWIDE GRANTS FOR INDIVIDUALS WITH*
18 *BARRIERS TO EMPLOYMENT.—*

19 *“(A) IN GENERAL.—Of the funds reserved as*
20 *described in section 133(a)(3), the Governor of a*
21 *State—*

22 *“(i) may reserve up to 5 percent to*
23 *provide technical assistance to, and conduct*
24 *evaluations as described in section 136(e), of*

1 *the programs and activities carried out*
2 *under this paragraph; and*

3 “(ii) *using the remainder, shall award*
4 *grants on a competitive basis to eligible en-*
5 *tities described in subparagraph (B) to*
6 *carry out employment and training pro-*
7 *grams authorized under this paragraph for*
8 *individuals with barriers to employment*
9 *that meet specific performance outcomes*
10 *and criteria established by the Governor.*

11 “(B) *ELIGIBLE ENTITY DEFINED.—For pur-*
12 *poses of this paragraph, the term ‘eligible entity’*
13 *means an entity that—*

14 “(i) *is a—*

15 “(I) *local board or a consortium*
16 *of local boards;*

17 “(II) *nonprofit entity, for-profit*
18 *entity, or a consortium of nonprofit or*
19 *for-profit entities; or*

20 “(III) *consortium of the entities*
21 *described in subclauses (I) and (II);*

22 “(ii) *has a demonstrated record of*
23 *placing individuals into unsubsidized em-*
24 *ployment and serving hard to serve individ-*
25 *uals; and*

1 “(iii) agrees to be reimbursed pri-
2 marily on the basis of achievement of speci-
3 fied performance outcomes and criteria es-
4 tablished by the Governor.

5 “(C) GRANT PERIOD.—

6 “(i) IN GENERAL.—A grant under this
7 paragraph shall be awarded for a period of
8 1 year.

9 “(ii) GRANT RENEWAL.—A Governor of
10 a State may renew, for up to 4 additional
11 1-year periods, a grant awarded under this
12 paragraph.

13 “(D) ELIGIBLE PARTICIPANTS.—To be eligi-
14 ble to participate in activities under this para-
15 graph, an individual shall be a low-income indi-
16 vidual age 16 or older or a member of a low-in-
17 come family.

18 “(E) USE OF FUNDS.—An eligible entity re-
19 ceiving a grant under this paragraph shall use
20 such funds for activities that are designed to as-
21 sist eligible participants in obtaining employ-
22 ment and acquiring the education and skills nec-
23 essary to succeed in the labor market.

24 “(F) APPLICATIONS.—To be eligible to re-
25 ceive a grant under this paragraph, an eligible

1 *entity shall submit an application to a State at*
2 *such time, in such manner, and containing such*
3 *information as the State may require, includ-*
4 *ing—*

5 *“(i) a description of how the strategies*
6 *and activities will be aligned with the State*
7 *plan submitted under section 112 and the*
8 *local plan submitted under section 118 with*
9 *respect to the areas of the State that will be*
10 *the focus of grant activities under this para-*
11 *graph;*

12 *“(ii) a description of the educational*
13 *and skills training programs and activities*
14 *the eligible entity will provide to eligible*
15 *participants under this paragraph;*

16 *“(iii) how the eligible entity will col-*
17 *laborate with State and local workforce in-*
18 *vestment systems established under this title*
19 *in the provision of such programs and ac-*
20 *tivities;*

21 *“(iv) a description of the programs of*
22 *demonstrated effectiveness on which the pro-*
23 *vision of such educational and skills train-*
24 *ing programs and activities are based, and*
25 *a description of how such programs and ac-*

1 *tivities will improve the education and*
2 *skills training for eligible participants;*

3 *“(v) a description of the populations to*
4 *be served and the skill needs of those popu-*
5 *lations, and the manner in which eligible*
6 *participants will be recruited and selected*
7 *as participants;*

8 *“(vi) a description of the private, pub-*
9 *lic, local, and State resources that will be*
10 *leveraged, in addition to the grant funds*
11 *provided for the programs and activities*
12 *under this paragraph, and how the entity*
13 *will ensure the sustainability of such pro-*
14 *grams and activities after grant funds are*
15 *no longer available;*

16 *“(vii) a description of the extent of the*
17 *involvement of employers in such programs*
18 *and activities;*

19 *“(viii) a description of the levels of*
20 *performance the eligible entity expects to*
21 *achieve with respect to the indicators of per-*
22 *formance for all individuals specified in*
23 *section in 136(b)(2);*

24 *“(ix) a detailed budget and a descrip-*
25 *tion of the system of fiscal controls, and au-*

1 *diting and accountability procedures that*
2 *will be used to ensure fiscal soundness for*
3 *the programs and activities provided under*
4 *this paragraph; and*

5 *“(x) any other criteria the Governor*
6 *may require.”;*

7 *(2) by amending subsection (b) to read as fol-*
8 *lows:*

9 *“(b) LOCAL EMPLOYMENT AND TRAINING ACTIVI-*
10 *TIES.—Funds allocated to a local area under section*
11 *133(b)—*

12 *“(1) shall be used to carry out employment and*
13 *training activities described in subsection (c); and*

14 *“(2) may be used to carry out employment and*
15 *training activities described in subsection (d).”;*

16 *(3) by striking subsection (c);*

17 *(4) by redesignating subsections (d) and (e), as*
18 *subsections (c) and (d), respectively;*

19 *(5) in subsection (c) (as so redesignated)—*

20 *(A) by amending paragraph (1) to read as*
21 *follows:*

22 *“(1) IN GENERAL.—Funds allocated to a local*
23 *area under section 133(b) shall be used—*

24 *“(A) to establish a one-stop delivery system*
25 *as described in section 121(e);*

1 “(B) to provide the work ready services de-
2 scribed in paragraph (2) through the one-stop
3 delivery system in accordance with such para-
4 graph; and

5 “(C) to provide training services described
6 in paragraph (4) in accordance with such para-
7 graph.”;

8 (B) in paragraph (2)—

9 (i) in the heading, by striking “CORE
10 SERVICES” and inserting “WORK READY
11 SERVICES”;

12 (ii) in the matter preceding subpara-
13 graph (A)—

14 (I) by striking “(1)(A)” and in-
15 serting “(1)(B)”;

16 (II) by striking “core services”
17 and inserting “work ready services”;
18 and

19 (III) by striking “who are adults
20 or dislocated workers”;

21 (iii) by redesignating subparagraph
22 (K) as subparagraph (V);

23 (iv) by redesignating subparagraphs
24 (B) through (J) as subparagraphs (C)
25 through (K), respectively;

1 (v) by inserting after subparagraph
2 (A) the following:

3 “(B) assistance in obtaining eligibility de-
4 terminations under the other one-stop partner
5 programs through activities, where appropriate
6 and consistent with the authorizing statute of the
7 one-stop partner program, such as assisting in
8 the submission of applications, the provision of
9 information on the results of such applications,
10 and the provision of intake services and informa-
11 tion;”;

12 (vi) by amending subparagraph (E),
13 as so redesignated, to read as follows:

14 “(E) labor exchange services, including—

15 “(i) job search and placement assist-
16 ance, and where appropriate, career coun-
17 seling;

18 “(ii) appropriate recruitment services
19 for employers, including small employers,
20 in the local area, which may include serv-
21 ices described in this subsection, including
22 information and referral to specialized busi-
23 ness services not traditionally offered
24 through the one-stop delivery system; and

1 “(iii) reemployment services provided
2 to unemployment claimants, including
3 claimants identified as in need of such serv-
4 ices under the worker profiling system es-
5 tablished under section 303(j) of the Social
6 Security Act (42 U.S.C. 503(j));”;

7 (vii) in subparagraph (F), as so redes-
8 ignated, by striking “employment statistics”
9 and inserting “workforce and labor mar-
10 ket”;

11 (viii) in subparagraph (G), as so re-
12 designated, by striking “and eligible pro-
13 viders of youth activities described in sec-
14 tion 123,”;

15 (ix) in subparagraph (H), as so redes-
16 ignated, by inserting “under section 136”
17 after “local performance measures”;

18 (x) in subparagraph (J), as so redesign-
19 ated, by inserting “and the administration
20 of the work test for the unemployment com-
21 pensation system” after “compensation”;

22 (xi) by amending subparagraph (K),
23 as so redesignated, to read as follows:

24 “(K) assistance in establishing eligibility
25 for programs of financial aid assistance for

1 *training and education programs that are not*
2 *funded under this Act and are available in the*
3 *local area;”;* and

4 *(xii) by inserting the following new*
5 *subparagraphs after subparagraph (K), as*
6 *so redesignated:*

7 *“(L) the provision of information from offi-*
8 *cial publications of the Internal Revenue Service*
9 *regarding Federal tax credits available to indi-*
10 *viduals relating to education, job training and*
11 *employment;*

12 *“(M) comprehensive and specialized assess-*
13 *ments of the skill levels and service needs of*
14 *workers, which may include—*

15 *“(i) diagnostic testing and use of other*
16 *assessment tools; and*

17 *“(ii) in-depth interviewing and evalua-*
18 *tion to identify employment barriers and*
19 *appropriate employment goals;*

20 *“(N) development of an individual employ-*
21 *ment plan, to identify the employment goals, ap-*
22 *propriate achievement objectives, and appro-*
23 *priate combination of services for the partici-*
24 *pant;*

25 *“(O) group counseling;*

1 “(P) individual counseling and career plan-
2 ning;

3 “(Q) case management;

4 “(R) short-term pre-career services, includ-
5 ing development of learning skills, communica-
6 tions skills, interviewing skills, punctuality, per-
7 sonal maintenance skills, and professional con-
8 duct, to prepare individuals for unsubsidized em-
9 ployment or training;

10 “(S) internships and work experience;

11 “(T) literacy activities relating to basic
12 work readiness, information and communication
13 technology literacy activities, and financial lit-
14 eracy activities, if such activities are not avail-
15 able to participants in the local area under pro-
16 grams administered under the Adult Education
17 and Family Literacy Act (20 U.S.C. 2901 et
18 seq.);

19 “(U) out-of-area job search assistance and
20 relocation assistance; and”; and

21 (C) by amending paragraph (3) to read as
22 follows:

23 “(3) DELIVERY OF SERVICES.—The work ready
24 services described in paragraph (2) shall be provided
25 through the one-stop delivery system and may be pro-

1 *vided through contracts with public, private for-prof-*
2 *it, and private nonprofit service providers, approved*
3 *by the local board.”;*

4 *(D) in paragraph (4)—*

5 *(i) by amending subparagraph (A) to*
6 *read as follows:*

7 *“(A) IN GENERAL.—Funds described in*
8 *paragraph (1)(C) shall be used to provide train-*
9 *ing services to individuals who—*

10 *“(i) after an interview, evaluation, or*
11 *assessment, and case management, have*
12 *been determined by a one-stop operator or*
13 *one-stop partner, as appropriate, to—*

14 *“(I) be in need of training serv-*
15 *ices to obtain or retain employment;*
16 *and*

17 *“(II) have the skills and qualifica-*
18 *tions to successfully participate in the*
19 *selected program of training services;*

20 *“(ii) select programs of training serv-*
21 *ices that are directly linked to the employ-*
22 *ment opportunities in the local area in-*
23 *volved or in another area in which the indi-*
24 *vidual receiving such services are willing to*
25 *commute or relocate; and*

1 “(iii) who meet the requirements of
2 subparagraph (B);” and

3 (ii) in subparagraph (B)(i), by strik-
4 ing “Except” and inserting “Notwith-
5 standing section 479B of the Higher Edu-
6 cation Act of 1965 (20 U.S.C. 1087uu) and
7 except”;

8 (iii) by amending subparagraph (D) to
9 read as follows:

10 “(D) TRAINING SERVICES.—Training serv-
11 ices authorized under this paragraph may in-
12 clude—

13 “(i) occupational skills training;

14 “(ii) on-the-job training;

15 “(iii) skill upgrading and retraining;

16 “(iv) entrepreneurial training;

17 “(v) education activities leading to a
18 regular secondary school diploma or its rec-
19 ognized equivalent in combination with,
20 concurrently or subsequently, occupational
21 skills training;

22 “(vi) adult education and literacy ac-
23 tivities provided in conjunction with other
24 training authorized under this subpara-
25 graph;

1 “(vii) workplace training combined
2 with related instruction;

3 “(viii) occupational skills training
4 that incorporates English language acquisition;
5 tion;

6 “(ix) customized training conducted
7 with a commitment by an employer or
8 group of employers to employ an individual
9 upon successful completion of the training;
10 and

11 “(x) training programs operated by the
12 private sector.”;

13 (iv) by striking subparagraph (E) and
14 redesignating subparagraphs (F) and (G)
15 as subparagraphs (E) and (F), respectively;
16 and

17 (v) in subparagraph (E) (as so redesign-
18 ated)—

19 (I) in clause (ii)—

20 (aa) in the matter preceding
21 subclause (I), by striking “sub-
22 section (c)” and inserting “section
23 121”;

24 (bb) in subclause (I), by
25 striking “section 122(e)” and in-

1 serting “section 122(d)” and by
2 striking “section 122(h)” and in-
3 serting “section 122(i)”; and

4 (cc) in subclause (II), by
5 striking “subsections (e) and (h)”
6 and inserting “subsection (i)”;
7 and

8 (II) by striking clause (iii) and
9 inserting the following:

10 “(iii) CAREER ENHANCEMENT AC-
11 COUNTS.—An individual who seeks training
12 services and who is eligible pursuant to sub-
13 paragraph (A), may, in consultation with a
14 case manager, select an eligible provider of
15 training services from the list or identifying
16 information for providers described in
17 clause (ii)(I). Upon such selection, the one-
18 stop operator involved shall, to the extent
19 practicable, refer such individual to the eli-
20 gible provider of training services, and ar-
21 range for payment for such services through
22 a career enhancement account.

23 “(iv) COORDINATION.—Each local
24 board may, through one-stop centers, coordi-
25 nate career enhancement accounts with

1 *other Federal, State, local, or private job*
2 *training programs or sources to assist the*
3 *individual in obtaining training services.*

4 “(v) *ASSISTANCE.—Each local board*
5 *may, through one-stop centers, assist indi-*
6 *viduals receiving career enhancement ac-*
7 *counts in obtaining funds (in addition to*
8 *the funds provided under this section) from*
9 *other programs and sources that will assist*
10 *the individual in obtaining training serv-*
11 *ices.”; and*

12 *(vi) in subparagraph (F) (as so redes-*
13 *ignated)—*

14 *(I) in the subparagraph heading,*
15 *by striking “INDIVIDUAL TRAINING AC-*
16 *COUNTS” and inserting “CAREER EN-*
17 *HANCEMENT ACCOUNTS”;*

18 *(II) in clause (i) by striking “in-*
19 *dividual training accounts” and in-*
20 *serting “career enhancement accounts”;*

21 *(III) in clause (ii)—*

22 *(aa) by striking “an indi-*
23 *vidual training account” and in-*
24 *serting “a career enhancement ac-*
25 *count”;*

1 (bb) by striking “subpara-
2 graph (F)” and inserting “sub-
3 paragraph (E)”;

4 (cc) in subclause (II), by
5 striking “individual training ac-
6 counts” and inserting “career en-
7 hancement accounts”;

8 (dd) in subclause (II) by
9 striking “or” after the semicolon;

10 (ee) in subclause (III) by
11 striking the period and inserting
12 “; or”; and

13 (ff) by adding at the end the
14 following:

15 “(IV) the local board determines
16 that it would be most appropriate to
17 award a contract to an institution of
18 higher education that has been identi-
19 fied as a priority provider under sec-
20 tion 117(d)(5)(B) in order to facilitate
21 the training of multiple individuals in
22 in-demand sectors or occupations, and
23 which may be used to enable the ex-
24 pansion of programs provided by a

1 *priority provider, if such contract does*
2 *not limit customer choice.”;*

3 *(IV) in clause (iii), by striking*
4 *“adult or dislocated worker” and in-*
5 *serting “individual”; and*

6 *(V) in clause (iv)—*

7 *(aa) by redesignating sub-*
8 *clause (IV) as subclause (V) and*
9 *inserting after subclause (III) the*
10 *following:*

11 *“(IV) Individuals with disabili-*
12 *ties.”;*

13 *(6) in subsection (d) (as so redesignated)—*

14 *(A) by amending paragraph (1) to read as*
15 *follows:*

16 *“(1) DISCRETIONARY ONE-STOP DELIVERY AC-*
17 *TIVITIES.—*

18 *“(A) IN GENERAL.—Funds allocated to a*
19 *local area under section 133(b)(2) may be used*
20 *to provide, through the one-stop delivery sys-*
21 *tem—*

22 *“(i) customized screening and referral*
23 *of qualified participants in training serv-*
24 *ices to employers;*

1 “(ii) *customized employment-related*
2 *services to employers on a fee-for-service*
3 *basis;*

4 “(iii) *customer supports, including*
5 *transportation and childcare, to navigate*
6 *among multiple services and activities for*
7 *special participant populations that face*
8 *multiple barriers to employment, including*
9 *individuals with disabilities;*

10 “(iv) *employment and training assist-*
11 *ance provided in coordination with child*
12 *support enforcement activities of the State*
13 *agency carrying out subtitle D of title IV of*
14 *the Social Security Act (42 U.S.C. 651 et*
15 *seq.);*

16 “(v) *incorporating pay-for-performance*
17 *contract strategies, as defined in section*
18 *101(56), as an element in funding activities*
19 *under this section;*

20 “(vi) *activities to facilitate remote ac-*
21 *cess to services provided through a one-stop*
22 *delivery system, including facilitating ac-*
23 *cess through the use of technology; and*

24 “(vii) *activities to carry out business*
25 *services and strategies that meet the work-*

1 *force investment needs of local area employ-*
2 *ers, as determined by the local board, con-*
3 *sistent with the local plan under section*
4 *118.”.*

5 *(B) by striking paragraphs (2) and (3); and*
6 *(C) by adding at the end the following:*

7 “(2) *INCUMBENT WORKER TRAINING PRO-*
8 *GRAMS.—*

9 *“(A) IN GENERAL.—The local board may*
10 *use funds allocated to a local area under section*
11 *133(b)(2) to carry out incumbent worker train-*
12 *ing programs in accordance with this para-*
13 *graph.*

14 *“(B) TRAINING ACTIVITIES.—The training*
15 *programs for incumbent workers under this*
16 *paragraph shall be carried out by the local area*
17 *in conjunction with the employers of such work-*
18 *ers for the purpose of assisting such workers in*
19 *obtaining the skills necessary to retain employ-*
20 *ment and avert layoffs.*

21 *“(C) EMPLOYER MATCH REQUIRED.—*

22 *“(i) IN GENERAL.—Employers partici-*
23 *pating in programs under this paragraph*
24 *shall be required to pay a proportion of the*
25 *costs of providing the training to the in-*

1 *cumbent workers of the employers. The local*
2 *board shall establish the required portion of*
3 *such costs, which may include in-kind con-*
4 *tributions.*

5 “(ii) *CALCULATION OF MATCH.—The*
6 *wages paid by an employer to a worker*
7 *while they are attending training may be*
8 *included as part of the required payment of*
9 *the employer.”; and*

10 (7) *by adding at the end the following:*

11 “(e) *PRIORITY FOR PLACEMENT IN PRIVATE SECTOR*
12 *JOBS.—In providing employment and training activities*
13 *authorized under this section, the State and local board*
14 *shall give priority to placing participants in jobs in the*
15 *private sector.*

16 “(f) *VETERAN EMPLOYMENT SPECIALIST.—*

17 “(1) *IN GENERAL.—Subject to paragraph (8), a*
18 *local board shall hire and employ one or more veteran*
19 *employment specialist to carry out employment,*
20 *training, and placement services under this subsection*
21 *in the local area served by the local board.*

22 “(2) *PRINCIPAL DUTIES.—A veteran employment*
23 *specialist in a local area shall—*

1 “(A) *conduct outreach to employers in the*
2 *local area to assist veterans, including disabled*
3 *veterans, in gaining employment, including—*

4 “(i) *conducting seminars for employ-*
5 *ers; and*

6 “(ii) *in conjunction with employers,*
7 *conducting job search workshops, and estab-*
8 *lishing job search groups; and*

9 “(B) *facilitate employment, training, sup-*
10 *portive, and placement services furnished to vet-*
11 *erans, including disabled and homeless veterans,*
12 *in the local area.*

13 “(3) *HIRING PREFERENCE FOR VETERANS AND*
14 *INDIVIDUALS WITH EXPERTISE IN SERVING VET-*
15 *ERANS.—Subject to paragraph (8), a local board*
16 *shall, to the maximum extent practicable, employ vet-*
17 *erans or individuals with expertise in serving vet-*
18 *erans to carry out the services described in paragraph*
19 *(2) in the local area served by the local board. In hir-*
20 *ing an individual to serve as a veteran employment*
21 *specialist, a local board shall give preference to vet-*
22 *erans and other individuals in the following order:*

23 “(A) *To service-connected disabled veterans.*

24 “(B) *If no veteran described in subpara-*
25 *graph (A) is available, to veterans.*

1 “(C) If no veteran described in subpara-
2 graph (A) or (B) is available, to any member of
3 the Armed Forces transitioning out of military
4 service.

5 “(D) If no veteran described in subpara-
6 graph (A), (B), or (C) is available, to any spouse
7 of a veteran or a spouse of a member of the
8 Armed Forces transitioning out of military serv-
9 ice.

10 “(E) If no veteran described in subpara-
11 graph (A), (B), or (C) is available and no spouse
12 described in paragraph (D) is available, to any
13 other individuals with expertise in serving vet-
14 erans.

15 “(4) ADMINISTRATION AND REPORTING.—

16 “(A) IN GENERAL.—Each veteran employ-
17 ment specialist shall be administratively respon-
18 sible to the manager of the one-stop delivery cen-
19 ter in the local area and shall provide, at a min-
20 imum, quarterly reports to the manager of such
21 center and to the Director for Veterans’ Employ-
22 ment and Training for the State on the perform-
23 ance and compliance by the specialist with Fed-
24 eral law and regulations with respect to the—

1 “(i) *principal duties and special serv-*
2 *ices for veterans described in paragraph (2);*
3 *and*

4 “(ii) *hiring preferences described in*
5 *paragraph (3) for veterans and individuals*
6 *with expertise in serving veterans.*

7 “(B) *REPORT TO SECRETARY.—Each State*
8 *shall submit to the Secretary an annual report*
9 *on the qualifications used by the local board in*
10 *making hiring determinations for a veteran em-*
11 *ployment specialist and the salary structure*
12 *under which such specialist is compensated.*

13 “(C) *REPORT TO CONGRESS.—The Sec-*
14 *retary shall submit to the Committee on Edu-*
15 *cation and the Workforce and the Committee on*
16 *Veterans’ Affairs of the House of Representatives*
17 *and the Committee on Health, Education, Labor,*
18 *and Pensions and the Committee on Veterans’*
19 *Affairs of the Senate an annual report summa-*
20 *rizing the reports submitted under subparagraph*
21 *(B), including summaries of outcomes achieved*
22 *by participating veterans disaggregated by local*
23 *areas.*

24 “(5) *PART-TIME EMPLOYEES.—A part-time vet-*
25 *eran employment specialist shall perform the func-*

1 *tions of a veteran employment specialist under this*
2 *subsection on a halftime basis.*

3 “(6) *TRAINING REQUIREMENTS.*—*Each veteran*
4 *employment specialist described in paragraph (2)*
5 *shall satisfactorily complete training provided by the*
6 *National Veterans’ Employment and Training Insti-*
7 *tute during the three-year period that begins on the*
8 *date on which the employee is so assigned.*

9 “(7) *SPECIALIST’S DUTIES.*—*A full-time veteran*
10 *employment specialist shall perform only duties re-*
11 *lated to the employment, training, supportive, and*
12 *placement services under this subsection, and shall*
13 *not perform other non-veteran-related duties if such*
14 *duties detract from the specialist’s ability to perform*
15 *the specialist’s duties related to employment, training,*
16 *and placement services under this subsection.*

17 “(8) *STATE OPTION.*—*At the request of a local*
18 *board, a State may assume the duties assigned to the*
19 *local board under paragraphs (1) and (3), including*
20 *the hiring and employment of one or more veteran*
21 *employment specialist for placement in the local area*
22 *served by the local board.”.*

23 **SEC. 114. PERFORMANCE ACCOUNTABILITY SYSTEM.**

24 *Section 136 (29 U.S.C. 2871) is amended—*

25 *(1) in subsection (b)—*

1 (A) by amending paragraphs (1) and (2) to
2 read as follows:

3 “(1) *IN GENERAL.*—For each State, the State
4 performance measures shall consist of—

5 “(A)(i) the core indicators of performance
6 described in paragraph (2)(A); and

7 “(ii) additional indicators of performance
8 (if any) identified by the State under paragraph
9 (2)(B); and

10 “(B) a State adjusted level of performance
11 for each indicator described in subparagraph
12 (A).

13 “(2) *INDICATORS OF PERFORMANCE.*—

14 “(A) *CORE INDICATORS OF PERFORM-*
15 *ANCE.*—

16 “(i) *IN GENERAL.*—The core indicators
17 of performance for the program of employ-
18 ment and training activities authorized
19 under sections 132(a)(2) and 134, the pro-
20 gram of adult education and literacy activi-
21 ties authorized under title II, and the pro-
22 gram authorized under title I of the Reha-
23 bilitation Act of 1973 (29 U.S.C. 720 *et*
24 *seq.*), other than section 112 or part C of
25 that title (29 U.S.C. 732, 741), shall consist

1 *of the following indicators of performance,*
2 *each disaggregated by the populations iden-*
3 *tified in the State and local plans:*

4 “(I) *The percentage and number*
5 *of program participants who are in*
6 *unsubsidized employment during the*
7 *second full calendar quarter after exit*
8 *from the program.*

9 “(II) *The percentage and number*
10 *of program participants who are in*
11 *unsubsidized employment during the*
12 *fourth full calendar quarter after exit*
13 *from the program.*

14 “(III) *The median earnings of*
15 *program participants who are in un-*
16 *subsidized employment during the sec-*
17 *ond full calendar quarter after exit*
18 *from the program compared to the me-*
19 *dian earnings of such participants*
20 *prior to the training received under*
21 *such program.*

22 “(IV) *The percentage and number*
23 *of program participants who obtain a*
24 *recognized postsecondary credential, a*
25 *registered apprenticeship, an industry-*

1 *recognized credential, or a regular sec-*
2 *ondary school diploma or its recog-*
3 *nized equivalent (subject to clause (ii)),*
4 *during participation in or within 1*
5 *year after exit from program.*

6 “(V) *The percentage and number*
7 *of program participants who, during a*
8 *program year—*

9 “(aa) *are in an education or*
10 *training program that leads to a*
11 *recognized postsecondary creden-*
12 *tial, a registered apprenticeship*
13 *or on-the-job training program,*
14 *an industry-recognized credential,*
15 *a regular secondary school di-*
16 *ploma or its recognized equiva-*
17 *lent, or unsubsidized employment;*
18 *and*

19 “(bb) *are achieving measur-*
20 *able basic skill gains toward such*
21 *a credential or employment.*

22 “(VI) *The percentage and number*
23 *of program participants who obtain*
24 *unsubsidized employment in the field*
25 *relating to the training services de-*

1 scribed in section 134(c)(4) that such
2 participants received.

3 “(ii) *INDICATOR RELATING TO CRE-*
4 *DENTIAL.*—For purposes of clause (i)(IV),
5 program participants who obtain a regular
6 secondary school diploma or its recognized
7 equivalent shall be included in the percent-
8 age counted as meeting the criterion under
9 such clause only if such participants, in ad-
10 dition to obtaining such diploma or its rec-
11 ognized equivalent, have, within 1 year
12 after exit from the program, obtained or re-
13 tained employment, have been removed from
14 public assistance, or are in an education or
15 training program leading to a recognized
16 postsecondary credential.

17 “(B) *ADDITIONAL INDICATORS.*—A State
18 may identify in the State plan additional indi-
19 cators for workforce investment activities author-
20 ized under this subtitle.”; and

21 (B) in paragraph (3)—

22 (i) in subparagraph (A)—

23 (I) in the heading, by striking

24 “AND CUSTOMER SATISFACTION INDI-
25 CATOR”;

1 (II) in clause (i), by striking
2 “and the customer satisfaction indi-
3 cator described in paragraph (2)(B)”;

4 (III) in clause (ii), by striking
5 “and the customer satisfaction indi-
6 cator of performance, for the first 3”
7 and inserting “, for all 3”;

8 (IV) in clause (iii)—

9 (aa) in the heading, by strik-
10 ing “FOR FIRST 3 YEARS”; and

11 (bb) by striking “and the
12 customer satisfaction indicator of
13 performance, for the first 3 pro-
14 gram years” and inserting “for
15 all 3 program years”;

16 (V) in clause (iv)—

17 (aa) by striking “or (v)”;

18 (bb) by striking subclause (I)
19 and redesignating subclauses (II)
20 and (III) as subclauses (I) and
21 (II), respectively; and

22 (cc) in subclause (I) (as so
23 redesignated)—

24 (AA) by striking “tak-
25 ing into account” and insert-

1 *ing “which shall be adjusted*
2 *based on”;*

3 *(BB) by inserting “,*
4 *such as unemployment rates*
5 *and job losses or gains in*
6 *particular industries” after*
7 *“economic conditions”; and*

8 *(CC) by inserting “,*
9 *such as indicators of poor*
10 *work experience, dislocation*
11 *from high-wage employment,*
12 *low levels of literacy or*
13 *English proficiency, dis-*
14 *ability status, including the*
15 *number of veterans with dis-*
16 *abilities, and welfare depend-*
17 *ency” after “program”;*

18 *(VI) by striking clause (v) and re-*
19 *designating clause (vi) as clause (v);*
20 *and*

21 *(VII) in clause (v) (as so redesign-*
22 *ated),*

23 *(aa) by striking “described*
24 *in clause (iv)(II)” and inserting*
25 *“described in clause (iv)(I)”;* and

1 *(bb) by striking “or (v)”;* and

2 *(ii) in subparagraph (B), by striking*

3 *“paragraph (2)(C)” and inserting “para-*

4 *graph (2)(B)”;*

5 *(2) in subsection (c)(1)(A)—*

6 *(A) by amending clause (i) to read as fol-*

7 *lows: “(i) the core indicators of performance de-*

8 *scribed in subsection (b)(2)(A) for activities de-*

9 *scribed in such subsections, other than statewide*

10 *workforce investment activities; and”;*

11 *(B) in clause (ii), by striking “(b)(2)(C)”*

12 *and inserting “(b)(2)(B)”;* and

13 *(C) by amending paragraph (3) to read as*

14 *follows:*

15 *“(3) DETERMINATIONS.—In determining such*

16 *local levels of performance, the local board, the chief*

17 *elected official, and the Governor shall ensure such*

18 *levels are adjusted based on the specific economic*

19 *characteristics (such as unemployment rates and job*

20 *losses or gains in particular industries), demographic*

21 *characteristics, or other characteristics of the popu-*

22 *lation to be served in the local area.”;*

23 *(3) in subsection (d)—*

24 *(A) in paragraph (1)—*

25 *(i) by striking “127 or”;*

1 (ii) by striking “and the customer sat-
2 isfaction indicator” each place it appears;
3 and

4 (iii) in the last sentence, by inserting
5 before the period the following: “, and on
6 the amount and percentage of the State’s
7 annual allotment under section 132 the
8 State spends on administrative costs and on
9 the amount and percentage of its annual al-
10 location under section 133 each local area
11 in the State spends on administrative
12 costs”;

13 (B) in paragraph (2)—

14 (i) by striking subparagraphs (A), (B),
15 and (D);

16 (ii) by redesignating subparagraph (C)
17 as subparagraph (A);

18 (iii) by redesignating subparagraph
19 (E) as subparagraph (B);

20 (iv) in subparagraph (B), as so reded-
21 ignated—

22 (I) by striking “(excluding par-
23 ticipants who received only self-service
24 and informational activities)”; and

25 (II) by striking “and” at the end;

1 (v) by striking subparagraph (F);

2 (vi) by adding at the end the following:

3 “(C) with respect to each local area in the
4 State—

5 “(i) the number of individuals who re-
6 ceived work ready services described under
7 section 134(c)(2) and the number of indi-
8 viduals who received training services de-
9 scribed under section 134(c)(4) during the
10 most recent program year and fiscal year,
11 and the preceding 5 program years, where
12 the individuals received the training,
13 disaggregated by the type of entity that pro-
14 vided the training, and the amount of funds
15 spent on each type of service;

16 “(ii) the number of individuals who
17 successfully exited out of work ready services
18 described under section 134(c)(2) and the
19 number of individuals who exited out of
20 training services described under section
21 134(c)(4) during the most recent program
22 year and fiscal year, and the preceding 5
23 program years, and where the individuals
24 received the training, disaggregated by the

1 *type of entity that provided the training;*
2 *and*

3 “(iii) *the average cost per participant*
4 *of those individuals who received work*
5 *ready services described under section*
6 *134(c)(2) and the average cost per partici-*
7 *part of those individuals who received*
8 *training services described under section*
9 *134(c)(4) during the most recent program*
10 *year and fiscal year, and the preceding 5*
11 *program years, and where the individuals*
12 *received the training, disaggregated by the*
13 *type of entity that provided the training;*
14 *and*

15 “(E) *the amount of funds spent on training*
16 *services and discretionary one-stop delivery ac-*
17 *tivities, disaggregated by the populations identi-*
18 *fied in the State and local plans.”;*

19 (C) *in paragraph (3)(A), by striking*
20 *“through publication” and inserting “through*
21 *electronic means”;* and

22 (D) *by adding at the end the following:*

23 “(4) *DATA VALIDATION.—In preparing the re-*
24 *ports described in this subsection, each State shall es-*
25 *tablish procedures, consistent with guidelines issued*

1 *by the Secretary, to ensure the information contained*
2 *in the report is valid and reliable.*

3 “(5) *STATE AND LOCAL POLICIES.*—

4 “(A) *STATE POLICIES.*—*Each State that re-*
5 *ceives an allotment under section 132 shall*
6 *maintain a central repository of policies related*
7 *to access, eligibility, availability of services, and*
8 *other matters and plans approved by the State*
9 *board and make such repository available to the*
10 *public, including by electronic means.*

11 “(B) *LOCAL POLICIES.*—*Each local area*
12 *that receives an allotment under section 133*
13 *shall maintain a central repository of policies*
14 *related to access, eligibility, availability of serv-*
15 *ices, and other matters and plans approved by*
16 *the local board and make such repository avail-*
17 *able to the public, including by electronic*
18 *means.”;*

19 *(4) in subsection (g)—*

20 *(A) in paragraph (1)(A), by striking “or*
21 *(B)”;*

22 *(B) in paragraph (1)(B), by striking “may*
23 *reduce by not more than 5 percent,” and insert-*
24 *ing “shall reduce”; and*

1 (C) by striking paragraph (2) and inserting
2 the following:

3 “(2) FUNDS RESULTING FROM REDUCED ALLOT-
4 MENTS.—The Secretary shall return to the Treasury
5 the amount retained, as a result of a reduction in an
6 allotment to a State made under paragraph (1)(B).”;

7 (5) in subsection (h)(1), by striking “or (B)”;

8 (6) in subsection (h)(2)—

9 (A) in subparagraph (A), by amending the
10 matter preceding clause (i) to read as follows:

11 “(A) IN GENERAL.—If such failure con-
12 tinues for a second consecutive year, the Gov-
13 ernor shall take corrective actions, including the
14 development of a reorganization plan. Such plan
15 shall—”;

16 (B) by redesignating subparagraphs (B)
17 and (C) as subparagraphs (C) and (D), respec-
18 tively;

19 (C) by inserting after subparagraph (A), the
20 following:

21 “(B) REDUCTION IN THE AMOUNT OF
22 GRANT.—If such failure continues for a third
23 consecutive year, the Governor of a State shall
24 reduce the amount of the grant that would (in
25 the absence of this subparagraph) be payable to

1 *the local area under such program for the pro-*
2 *gram year after such third consecutive year.*
3 *Such penalty shall be based on the degree of fail-*
4 *ure to meet local levels of performance.”;*

5 *(D) in subparagraph (C)(i) (as so redesign-*
6 *ated), by striking “a reorganization plan under*
7 *subparagraph (A) may, not later than 30 days*
8 *after receiving notice of the reorganization plan,*
9 *appeal to the Governor to rescind or revise such*
10 *plan” and inserting “corrective actions under*
11 *subparagraphs (A) and (B) may, not later than*
12 *30 days after receiving notice of the actions, ap-*
13 *peal to the Governor to rescind or revise such ac-*
14 *tions”;* and

15 *(E) in subparagraph (D) (as so redesign-*
16 *ated), by striking “subparagraph (B)” each*
17 *place it appears and inserting “subparagraph*
18 *(C)”;*

19 *(7) in subsection (i)(1)(B), by striking “sub-*
20 *section (b)(2)(C)” and inserting “subsection*
21 *(b)(2)(B)”;*

22 *(8) in subsection (i)(1)(C), by striking*
23 *“(b)(3)(A)(vi)” and inserting “(b)(3)(A)(v)”;*

24 *(9) in subsection (i)(2), by striking “the activi-*
25 *ties described in section 502 concerning”;*

1 (10) in subsection (i)(3), by striking “described
2 in paragraph (1) and in the activities described in
3 section 502” and inserting “and activities described
4 in this subsection”; and

5 (11) by adding at the end the following new sub-
6 sections:

7 “(j) *USE OF CORE INDICATORS FOR OTHER PRO-*
8 *GRAMS.—In addition to the programs carried out under*
9 *chapter 5, and consistent with the requirements of the ap-*
10 *plicable authorizing laws, the Secretary shall use the core*
11 *indicators of performance described in subsection (b)(2)(A)*
12 *to assess the effectiveness of the programs described under*
13 *section 121(b)(1)(B) that are carried out by the Secretary.*

14 “(k) *ESTABLISHING PAY-FOR-PERFORMANCE INCEN-*
15 *TIVES.—*

16 “(1) *IN GENERAL.—At the discretion of the Gov-*
17 *ernor of a State, a State may establish an incentive*
18 *system for local boards to implement pay-for-perform-*
19 *ance contract strategies for the delivery of employ-*
20 *ment and training services in the local areas served*
21 *by the local boards.*

22 “(2) *IMPLEMENTATION.—A State that establishes*
23 *a pay-for-performance incentive system shall reserve*
24 *not more than 10 percent of the total amount allotted*
25 *to the State under section 132(b)(2) for a fiscal year*

1 to provide funds to local areas in the State whose
2 local boards have implemented a pay-for-performance
3 contract strategy.

4 “(3) *EVALUATIONS.*—A State described in para-
5 graph (2) shall use funds reserved by the State under
6 section 133(a)(1) to evaluate the return on investment
7 of pay-for-performance contract strategies imple-
8 mented by local boards in the State.”.

9 **SEC. 115. AUTHORIZATION OF APPROPRIATIONS.**

10 Section 137 (29 U.S.C. 2872) is amended to read as
11 follows:

12 **“SEC. 137. AUTHORIZATION OF APPROPRIATIONS.**

13 “*There are authorized to be appropriated to carry out*
14 *the activities described in section 132, \$6,245,318,000 for*
15 *fiscal year 2014 and each of the 6 succeeding fiscal years.*”.

16 **Subtitle C—Job Corps**

17 **SEC. 116. JOB CORPS PURPOSES.**

18 Paragraph (1) of section 141 (29 U.S.C. 2881(1)) is
19 amended to read as follows:

20 “(1) *to maintain a national Job Corps program*
21 *for at-risk youth, carried out in partnership with*
22 *States and communities, to assist eligible youth to*
23 *connect to the workforce by providing them with in-*
24 *tensive academic, career and technical education, and*
25 *service-learning opportunities, in residential and*

1 *nonresidential centers, in order for such youth to ob-*
2 *tain regular secondary school diplomas and recog-*
3 *nized postsecondary credentials leading to successful*
4 *careers in in-demand industries that will result in*
5 *opportunities for advancement;”.*

6 **SEC. 117. JOB CORPS DEFINITIONS.**

7 *Section 142 (29 U.S.C. 2882) is amended—*

8 *(1) in paragraph (2)—*

9 *(A) in the paragraph heading, by striking*
10 *“APPLICABLE ONE-STOP” and inserting “ONE-*
11 *STOP”;*

12 *(B) by striking “applicable”;*

13 *(C) by striking “customer service”; and*

14 *(D) by striking “intake” and inserting “as-*
15 *essment”;*

16 *(2) in paragraph (4), by striking “before com-*
17 *pleting the requirements” and all that follows and in-*
18 *serting “prior to becoming a graduate.”; and*

19 *(3) in paragraph (5), by striking “has completed*
20 *the requirements” and all that follows and inserting*
21 *the following: “who, as a result of participation in the*
22 *Job Corps program, has received a regular secondary*
23 *school diploma, completed the requirements of a ca-*
24 *reer and technical education and training program,*
25 *or received, or is making satisfactory progress (as de-*

1 *fined under section 484(c) of the Higher Education*
2 *Act of 1965 (20 U.S.C. 1091(c)) toward receiving, a*
3 *recognized postsecondary credential, including an in-*
4 *dustry-recognized credential that prepares individuals*
5 *for employment leading to economic self-sufficiency.”.*

6 **SEC. 118. INDIVIDUALS ELIGIBLE FOR THE JOB CORPS.**

7 *Section 144 (29 U.S.C. 2884) is amended—*

8 *(1) by amending paragraph (1) to read as fol-*
9 *lows:*

10 *“(1) not less than age 16 and not more than age*
11 *24 on the date of enrollment;”;*

12 *(2) in paragraph (3)(B), by inserting “sec-*
13 *ondary” before “school”; and*

14 *(3) in paragraph (3)(E), by striking “voca-*
15 *tional” and inserting “career and technical education*
16 *and”.*

17 **SEC. 119. RECRUITMENT, SCREENING, SELECTION, AND AS-**
18 **SIGNMENT OF ENROLLEES.**

19 *Section 145 (29 U.S.C. 2885) is amended—*

20 *(1) in subsection (a)—*

21 *(A) in paragraph (2)(C)(i) by striking “vo-*
22 *catational” and inserting “career and technical*
23 *education and training”; and*

24 *(B) in paragraph (3)—*

- 1 (i) by striking “To the extent prac-
- 2 ticable, the” and inserting “The”;
- 3 (ii) in subparagraph (A)—
- 4 (I) by striking “applicable”; and
- 5 (II) by inserting “and” after the
- 6 semicolon;
- 7 (iii) by striking subparagraphs (B)
- 8 and (C); and
- 9 (iv) by adding at the end the following:
- 10 “(B) organizations that have a dem-
- 11 onstrated record of effectiveness in placing at-
- 12 risk youth into employment.”;
- 13 (2) in subsection (b)—
- 14 (A) in paragraph (1)—
- 15 (i) in subparagraph (B), by inserting
- 16 “and agrees to such rules” after “failure to
- 17 observe the rules”; and
- 18 (ii) by amending subparagraph (C) to
- 19 read as follows:
- 20 “(C) the individual has passed a back-
- 21 ground check conducted in accordance with pro-
- 22 cedures established by the Secretary, which shall
- 23 include—
- 24 “(i) a search of the State criminal reg-
- 25 istry or repository in the State where the

1 *individual resides and each State where the*
2 *individual previously resided;*

3 “(ii) a search of State-based child
4 abuse and neglect registries and databases
5 in the State where the individual resides
6 and each State where the individual pre-
7 viously resided;

8 “(iii) a search of the National Crime
9 Information Center;

10 “(iv) a Federal Bureau of Investiga-
11 tion fingerprint check using the Integrated
12 Automated Fingerprint Identification Sys-
13 tem; and

14 “(v) a search of the National Sex Of-
15 fender Registry established under the Adam
16 Walsh Child Protection and Safety Act of
17 2006 (42 U.S.C. 16901 et seq.).”; and

18 (B) by adding at the end the following new
19 paragraph:

20 “(3) INDIVIDUALS CONVICTED OF A CRIME.—An
21 individual shall be ineligible for enrollment if the in-
22 dividual—

23 “(A) makes a false statement in connection
24 with the criminal background check described in
25 paragraph (1)(C);

1 “(B) is registered or is required to be reg-
2 istered on a State sex offender registry or the Na-
3 tional Sex Offender Registry established under
4 the Adam Walsh Child Protection and Safety Act
5 of 2006 (42 U.S.C. 16901 et seq.); or

6 “(C) has been convicted of a felony con-
7 sisting of—

8 “(i) homicide;

9 “(ii) child abuse or neglect;

10 “(iii) a crime against children, includ-
11 ing child pornography;

12 “(iv) a crime involving rape or sexual
13 assault; or

14 “(v) physical assault, battery, or a
15 drug-related offense, committed within the
16 past 5 years.”;

17 (3) in subsection (c)—

18 (A) in paragraph (1)—

19 (i) by striking “2 years” and inserting
20 “year”; and

21 (ii) by striking “an assignment” and
22 inserting “a”; and

23 (B) in paragraph (2)—

24 (i) in the matter preceding subpara-
25 graph (A), by striking “, every 2 years,”;

1 (ii) in subparagraph (B), by striking
2 “and” at the end; and

3 (iii) in subparagraph (C)—

4 (I) by inserting “the education
5 and training” after “including”; and

6 (II) by striking the period at the
7 end and inserting “; and”; and

8 (iv) by adding at the end the following:

9 “(D) the performance of the Job Corps cen-
10 ter relating to the indicators described in para-
11 graphs (1) and (2) in section 159(e), and wheth-
12 er any actions have been taken with respect to
13 such center pursuant to section 159(f).”; and

14 (4) in subsection (d)—

15 (A) in paragraph (1)—

16 (i) in the matter preceding subpara-
17 graph (A), by striking “is closest to the
18 home of the enrollee, except that the” and
19 inserting “offers the type of career and tech-
20 nical education and training selected by the
21 individual and, among the centers that offer
22 such education and training, is closest to
23 the home of the individual. The”;

24 (ii) by striking subparagraph (A); and

1 (iii) by redesignating subparagraphs
2 (B) and (C) as subparagraphs (A) and (B),
3 respectively; and
4 (B) in paragraph (2), by inserting “that of-
5 fers the career and technical education and
6 training desired by” after “home of the enrollee”.

7 **SEC. 120. JOB CORPS CENTERS.**

8 Section 147 (29 U.S.C. 2887) is amended—

9 (1) in subsection (a)—

10 (A) in paragraph (1)(A), by striking “voca-
11 tional” both places it appears and inserting “ca-
12 reer and technical”; and

13 (B) in paragraph (2)—

14 (i) in subparagraph (A)—

15 (I) by striking “subsections (c)
16 and (d) of section 303 of the Federal
17 Property and Administrative Services
18 Act of 1949 (41 U.S.C. 253)” and in-
19 serting “subsections (a) and (b) of sec-
20 tion 3304 of title 41, United States
21 Code”; and

22 (II) by striking “industry coun-
23 cil” and inserting “workforce council”;

24 (ii) in subparagraph (B)(i)—

1 (I) by amending subclause (II) to
2 read as follows:

3 “(II) the ability of the entity to
4 offer career and technical education
5 and training that the workforce council
6 proposes under section 154(c);”;

7 (II) in subclause (III), by striking
8 “is familiar with the surrounding com-
9 munities, applicable” and inserting
10 “demonstrates relationships with the
11 surrounding communities, employers,
12 workforce boards,” and by striking
13 “and” at the end;

14 (III) by amending subclause (IV)
15 to read as follows:

16 “(IV) the performance of the enti-
17 ty, if any, relating to operating or pro-
18 viding activities described in this sub-
19 title to a Job Corps center, including
20 the entity’s demonstrated effectiveness
21 in assisting individuals in achieving
22 the primary and secondary indicators
23 of performance described in para-
24 graphs (1) and (2) of section 159(c);
25 and”;

1 (IV) by adding at the end the fol-
2 lowing new subclause:

3 “(V) the ability of the entity to
4 demonstrate a record of successfully as-
5 sisting at-risk youth to connect to the
6 workforce, including by providing them
7 with intensive academic, and career
8 and technical education and train-
9 ing.”; and

10 (iii) in subparagraph (B)(ii), by strik-
11 ing “, as appropriate”;

12 (2) in subsection (b), by striking “In any year,
13 no more than 20 percent of the individuals enrolled
14 in the Job Corps may be nonresidential participants
15 in the Job Corps.”;

16 (3) by amending subsection (c) to read as fol-
17 lows:

18 “(c) *CIVILIAN CONSERVATION CENTERS.*—

19 “(1) *IN GENERAL.*—The Job Corps centers may
20 include Civilian Conservation Centers, operated
21 under an agreement between the Secretary of Labor
22 and the Secretary of Agriculture, that are located pri-
23 marily in rural areas. Such centers shall adhere to all
24 the provisions of this subtitle, and shall provide, in
25 addition to education, career and technical education

1 *and training, and workforce preparation skills train-*
2 *ing described in section 148, programs of work experi-*
3 *ence to conserve, develop, or manage public natural*
4 *resources or public recreational areas or to develop*
5 *community projects in the public interest.*

6 “(2) *SELECTION PROCESS.*—*The Secretary shall*
7 *select an entity that submits an application under*
8 *subsection (d) to operate a Civilian Conservation*
9 *Center on a competitive basis, as provided in sub-*
10 *section (a).”*; and

11 (4) *by striking subsection (d) and inserting the*
12 *following:*

13 “(d) *APPLICATION.*—*To be eligible to operate a Job*
14 *Corps center under this subtitle, an entity shall submit an*
15 *application to the Secretary at such time, in such manner,*
16 *and containing such information as the Secretary may re-*
17 *quire, including—*

18 “(1) *a description of the program activities that*
19 *will be offered at the center, including how the career*
20 *and technical education and training reflect State*
21 *and local employment opportunities, including in in-*
22 *demand industries;*

23 “(2) *a description of the counseling, placement,*
24 *and support activities that will be offered at the cen-*
25 *ter, including a description of the strategies and pro-*

1 *cedures the entity will use to place graduates into un-*
2 *subsidized employment upon completion of the pro-*
3 *gram;*

4 *“(3) a description of the demonstrated record of*
5 *effectiveness that the entity has in placing at-risk*
6 *youth into employment, including past performance*
7 *of operating a Job Corps center under this subtitle;*

8 *“(4) a description of the relationships that the*
9 *entity has developed with State and local workforce*
10 *boards, employers, State and local educational agen-*
11 *cies, and the surrounding communities in an effort to*
12 *promote a comprehensive statewide workforce invest-*
13 *ment system;*

14 *“(5) a description of the strong fiscal controls the*
15 *entity has in place to ensure proper accounting of*
16 *Federal funds, and a description of how the entity*
17 *will meet the requirements of section 159(a);*

18 *“(6) a description of the strategies and policies*
19 *the entity will utilize to reduce participant costs;*

20 *“(7) a description of the steps taken to control*
21 *costs in accordance with section 159(a)(3);*

22 *“(8) a detailed budget of the activities that will*
23 *be supported using funds under this subtitle;*

24 *“(9) a detailed budget of the activities that will*
25 *be supported using funds from non-Federal resources;*

1 “(10) an assurance the entity will comply with
2 the administrative cost limitation included in section
3 151(c);

4 “(11) an assurance the entity is licensed to oper-
5 ate in the State in which the center is located; and

6 “(12) an assurance the entity will comply with
7 and meet basic health and safety codes, including
8 those measures described in section 152(b).

9 “(e) *LENGTH OF AGREEMENT.*—The agreement de-
10 scribed in subsection (a)(1)(A) shall be for not longer than
11 a 2-year period. The Secretary may renew the agreement
12 for 3 one-year periods if the entity meets the requirements
13 of subsection (f).

14 “(f) *RENEWAL.*—

15 “(1) *IN GENERAL.*—Subject to paragraph (2), the
16 Secretary may renew the terms of an agreement de-
17 scribed in subsection (a)(1)(A) for an entity to oper-
18 ate a Job Corps center if the center meets or exceeds
19 each of the indicators of performance described in sec-
20 tion 159(c)(1).

21 “(2) *RECOMPETITION.*—

22 “(A) *IN GENERAL.*—Notwithstanding para-
23 graph (1), the Secretary shall not renew the
24 terms of the agreement for an entity to operate
25 a Job Corps center if such center is ranked in

1 *the bottom quintile of centers described in section*
2 *159(f)(2) for any program year. Such entity*
3 *may submit a new application under subsection*
4 *(d) only if such center has shown significant im-*
5 *provement on the indicators of performance de-*
6 *scribed in section 159(c)(1) over the last program*
7 *year.*

8 “(B) VIOLATIONS.—*The Secretary shall not*
9 *select an entity to operate a Job Corps center if*
10 *such entity or such center has been found to have*
11 *a systemic or substantial material failure that*
12 *involves—*

13 “(i) *a threat to the health, safety, or*
14 *civil rights of program participants or staff;*

15 “(ii) *the misuse of funds received*
16 *under this subtitle;*

17 “(iii) *loss of legal status or financial*
18 *viability, loss of permits, debarment from*
19 *receiving Federal grants or contracts, or the*
20 *improper use of Federal funds;*

21 “(iv) *failure to meet any other Federal*
22 *or State requirement that the entity has*
23 *shown an unwillingness or inability to cor-*
24 *rect, after notice from the Secretary, within*
25 *the period specified; or*

1 “(v) *an unresolved area of noncompli-*
2 *ance.*”

3 “(g) *CURRENT GRANTEES.—Not later than 60 days*
4 *after the date of enactment of the SKILLS Act and notwith-*
5 *standing any previous grant award or renewals of such*
6 *award under this subtitle, the Secretary shall require all*
7 *entities operating a Job Corps center under this subtitle to*
8 *submit an application under subsection (d) to carry out*
9 *the requirements of this section.*”

10 **SEC. 121. PROGRAM ACTIVITIES.**

11 *Section 148 (29 U.S.C. 2888) is amended—*

12 (1) *by amending subsection (a) to read as fol-*
13 *lows:*

14 “(a) *ACTIVITIES PROVIDED THROUGH JOB CORPS*
15 *CENTERS.—*

16 “(1) *IN GENERAL.—Each Job Corps center shall*
17 *provide enrollees with an intensive, well-organized,*
18 *and supervised program of education, career, and*
19 *technical education and training, work experience,*
20 *recreational activities, physical rehabilitation and de-*
21 *velopment, and counseling. Each Job Corps center*
22 *shall provide enrollees assigned to the center with ac-*
23 *cess to work-ready services described in section*
24 *134(c)(2).*”

25 “(2) *RELATIONSHIP TO OPPORTUNITIES.—*

1 “(A) *IN GENERAL.*—*The activities provided*
2 *under this subsection shall be targeted to helping*
3 *enrollees, on completion of their enrollment—*

4 “(i) *secure and maintain meaningful*
5 *unsubsidized employment;*

6 “(ii) *complete secondary education and*
7 *obtain a regular secondary school diploma;*

8 “(iii) *enroll in and complete postsec-*
9 *ondary education or training programs, in-*
10 *cluding obtaining recognized postsecondary*
11 *credentials, industry-recognized credentials,*
12 *and registered apprenticeships; or*

13 “(iv) *satisfy Armed Forces require-*
14 *ments.*

15 “(B) *LINK TO EMPLOYMENT OPPORTUNI-*
16 *TIES.*—*The career and technical education and*
17 *training provided shall be linked to the employ-*
18 *ment opportunities in in-demand industries in*
19 *the State in which the Job Corps center is lo-*
20 *cated.”; and*

21 (2) *in subsection (b)—*

22 (A) *in the subsection heading, by striking*
23 *“EDUCATION AND VOCATIONAL” and inserting*
24 *“ACADEMIC AND CAREER AND TECHNICAL EDU-*
25 *CATION AND”;*

1 (B) by striking “may” after “The Sec-
2 retary” and inserting “shall”; and

3 (C) by striking “vocational” each place it
4 appears and inserting “career and technical”;
5 and

6 (3) by amending paragraph (3) of subsection (c)
7 to read as follows:

8 “(3) *DEMONSTRATION.*—Each year, any operator
9 seeking to enroll additional enrollees in an advanced
10 career training program shall demonstrate, before the
11 operator may carry out such additional enrollment,
12 that—

13 “(A) participants in such program have
14 achieved a satisfactory rate of completion and
15 placement in training-related jobs; and

16 “(B) such operator has met or exceeded the
17 indicators of performance described in para-
18 graphs (1) and (2) of section 159(c) for the pre-
19 vious year.”.

20 **SEC. 122. COUNSELING AND JOB PLACEMENT.**

21 Section 149 (29 U.S.C. 2889) is amended—

22 (1) in subsection (a), by striking “vocational”
23 and inserting “career and technical education and”;

24 (2) in subsection (b), by striking “make every ef-
25 fort to arrange to”; and

1 (3) by striking subsection (d).

2 **SEC. 123. SUPPORT.**

3 Subsection (b) of section 150 (29 U.S.C. 2890) is
4 amended to read as follows:

5 “(b) *TRANSITION ALLOWANCES AND SUPPORT FOR*
6 *GRADUATES.*—The Secretary shall arrange for a transition
7 allowance to be paid to graduates. The transition allowance
8 shall be incentive-based to reflect a graduate’s completion
9 of academic, career and technical education or training,
10 and attainment of a recognized postsecondary credential,
11 including an industry-recognized credential.”

12 **SEC. 124. OPERATIONS.**

13 Section 151 (29 U.S.C. 2891) is amended—

14 (1) in the header, by striking “**OPERATING**
15 **PLAN.**” and inserting “**OPERATIONS.**”;

16 (2) in subsection (a), by striking “*IN GEN-*
17 *ERAL.—*” and inserting “*OPERATING PLAN.—*”;

18 (3) by striking subsection (b) and redesignating
19 subsection (c) as subsection (b);

20 (4) by amending subsection (b) (as so redesign-
21 ated)—

22 (A) in the heading by inserting “*OF OPER-*
23 *ATING PLAN*” after “*AVAILABILITY*”; and

24 (B) by striking “subsections (a) and (b)”
25 and inserting “subsection (a)”; and

1 (5) *by adding at the end the following new sub-*
2 *section:*

3 “(c) *ADMINISTRATIVE COSTS.—Not more than 10 per-*
4 *cent of the funds allotted under section 147 to an entity*
5 *selected to operate a Job Corps center may be used by the*
6 *entity for administrative costs under this subtitle.”.*

7 **SEC. 125. COMMUNITY PARTICIPATION.**

8 *Section 153 (29 U.S.C. 2893) is amended to read as*
9 *follows:*

10 **“SEC. 153. COMMUNITY PARTICIPATION.**

11 *“The director of each Job Corps center shall encourage*
12 *and cooperate in activities to establish a mutually bene-*
13 *ficial relationship between Job Corps centers in the State*
14 *and nearby communities. Such activities may include the*
15 *use of any local workforce development boards established*
16 *under section 117 to provide a mechanism for joint discus-*
17 *sion of common problems and for planning programs of*
18 *mutual interest.”.*

19 **SEC. 126. WORKFORCE COUNCILS.**

20 *Section 154 (29 U.S.C. 2894) is amended to read as*
21 *follows:*

22 **“SEC. 154. WORKFORCE COUNCILS.**

23 *“(a) IN GENERAL.—Each Job Corps center shall have*
24 *a workforce council appointed by the Governor of the State*
25 *in which the Job Corps center is located.*

1 “(b) *WORKFORCE COUNCIL COMPOSITION.*—

2 “(1) *IN GENERAL.*—*A workforce council shall be*
3 *comprised of—*

4 “(A) *business members of the State board*
5 *described in section 111(b)(1)(B)(i);*

6 “(B) *business members of the local boards*
7 *described in section 117(b)(2)(A) located in the*
8 *State;*

9 “(C) *a representative of the State board de-*
10 *scribed in section 111(f); and*

11 “(D) *such other representatives and State*
12 *agency officials as the Governor may designate.*

13 “(2) *MAJORITY.*—*A $\frac{2}{3}$ majority of the members*
14 *of the workforce council shall be representatives de-*
15 *scribed in paragraph (1)(A).*

16 “(c) *RESPONSIBILITIES.*—*The responsibilities of the*
17 *workforce council shall be—*

18 “(1) *to review all the relevant labor market in-*
19 *formation, including related information in the State*
20 *plan described in section 112, to—*

21 “(A) *determine the in-demand industries in*
22 *the State in which enrollees intend to seek em-*
23 *ployment after graduation;*

1 “(B) determine the skills and education that
2 are necessary to obtain the employment opportu-
3 nities described in subparagraph (A); and

4 “(C) determine the type or types of career
5 and technical education and training that will
6 be implemented at the center to enable the enroll-
7 ees to obtain the employment opportunities; and

8 “(2) to meet at least once a year to reevaluate
9 the labor market information, and other relevant in-
10 formation, to determine any necessary changes in the
11 career and technical education and training provided
12 at the center.”.

13 **SEC. 127. TECHNICAL ASSISTANCE.**

14 Section 156 (29 U.S.C. 2896) is amended to read as
15 follows:

16 **“SEC. 156. TECHNICAL ASSISTANCE TO CENTERS.**

17 “(a) *IN GENERAL.*—From the funds reserved under
18 section 132(a)(3), the Secretary shall provide, directly or
19 through grants, contracts, or other agreements or arrange-
20 ments as the Secretary considers appropriate, technical as-
21 sistance and training for the Job Corps program for the
22 purposes of improving program quality.

23 “(b) *ACTIVITIES.*—In providing training and tech-
24 nical assistance and for allocating resources for such assist-
25 ance, the Secretary shall—

1 “(1) assist entities, including those entities not
2 currently operating a Job Corps center, in developing
3 the application described in section 147(d);

4 “(2) assist Job Corps centers and programs in
5 correcting deficiencies and violations under this sub-
6 title;

7 “(3) assist Job Corps centers and programs in
8 meeting or exceeding the indicators of performance
9 described in paragraph (1) and (2) of section 159(c);
10 and

11 “(4) assist Job Corps centers and programs in
12 the development of sound management practices, in-
13 cluding financial management procedures.”.

14 **SEC. 128. SPECIAL PROVISIONS.**

15 Section 158(c)(1) (29 U.S.C. 2989(c)(1)) is amended
16 by striking “title II of the Federal Property and Adminis-
17 trative Services Act of 1949 (40 U.S.C. 481 et seq.)” and
18 inserting “chapter of 5 title 40, United States Code,”.

19 **SEC. 129. PERFORMANCE ACCOUNTABILITY MANAGEMENT.**

20 Section 159 (29 U.S.C. 2899) is amended—

21 (1) in the section heading, by striking “**MAN-**
22 **AGEMENT INFORMATION**” and inserting “**PER-**
23 **FORMANCE ACCOUNTABILITY AND MANAGE-**
24 **MENT**”;

1 (2) *in subsection (a)(3), by inserting before the*
2 *period at the end the following: “, or operating costs*
3 *for such centers result in a budgetary shortfall”;*

4 (3) *by striking subsections (c) through (g); and*

5 (4) *by inserting after subsection (b) the fol-*
6 *lowing:*

7 “(c) *INDICATORS OF PERFORMANCE.—*

8 “(1) *PRIMARY INDICATORS.—The annual pri-*
9 *mary indicators of performance for Job Corps centers*
10 *shall include—*

11 “(A) *the percentage and number of enrollees*
12 *who graduate from the Job Corps center;*

13 “(B) *the percentage and number of grad-*
14 *uates who entered unsubsidized employment re-*
15 *lated to the career and technical education and*
16 *training received through the Job Corps center,*
17 *except that such calculation shall not include en-*
18 *rollment in education, the military or volunteer*
19 *service;*

20 “(C) *the percentage and number of grad-*
21 *uates who obtained a recognized postsecondary*
22 *credential, including an industry-recognized cre-*
23 *dential or a registered apprenticeship; and*

24 “(D) *the cost per successful performance*
25 *outcome, which is calculated by comparing the*

1 *number of graduates who were placed in unsub-*
2 *sidized employment or obtained a recognized cre-*
3 *dential, including an industry-recognized creden-*
4 *tial, to total program costs, including all oper-*
5 *ations, construction, and administration costs at*
6 *each Job Corp center.*

7 “(2) *SECONDARY INDICATORS.—The annual sec-*
8 *ondary indicators of performance for Job Corps cen-*
9 *ters shall include—*

10 “(A) *the percentage and number of grad-*
11 *uates who entered unsubsidized employment not*
12 *related to the career and technical education and*
13 *training received through the Job Corps center;*

14 “(B) *the percentage and number of grad-*
15 *uates who entered into postsecondary education;*

16 “(C) *the percentage and number of grad-*
17 *uates who entered into the military;*

18 “(D) *the average wage of graduates who are*
19 *in unsubsidized employment—*

20 “(i) *on the first day of employment;*

21 *and*

22 “(ii) *6 months after the first day;*

23 “(E) *the number and percentage of grad-*
24 *uates who entered unsubsidized employment and*
25 *were retained in the unsubsidized employment—*

1 “(i) 6 months after the first day of em-
2 ployment; and

3 “(ii) 12 months after the first day of
4 employment;

5 “(F) the percentage and number of enrollees
6 compared to the percentage and number of en-
7 rollees the Secretary has established targets in
8 section 145(c)(1);

9 “(G) the cost per training slot, which is cal-
10 culated by comparing the program’s maximum
11 number of students that can be enrolled in a Job
12 Corps center at any given time during the pro-
13 gram year to the number of enrollees in the same
14 program year; and

15 “(H) the number and percentage of former
16 enrollees, including the number dismissed under
17 the zero tolerance policy described in section
18 152(b).

19 “(3) INDICATORS OF PERFORMANCE FOR RE-
20 CRUITERS.—The annual indicators of performance for
21 recruiters shall include the measurements described in
22 subparagraph (A) of paragraph (1) and subpara-
23 graphs (F), (G), and (H) of paragraph (2).

24 “(4) INDICATORS OF PERFORMANCE OF CAREER
25 TRANSITION SERVICE PROVIDERS.—The annual indi-

1 *cators of performance of career transition service pro-*
2 *viders shall include the measurements described in*
3 *subparagraphs (B) and (C) of paragraph (1) and*
4 *subparagraphs, (B), (C), (D), and (E) of paragraph*
5 *(2).*

6 *“(d) ADDITIONAL INFORMATION.—The Secretary shall*
7 *collect, and submit in the report described in subsection (f),*
8 *information on the performance of each Job Corps center,*
9 *and the Job Corps program, regarding—*

10 *“(1) the number and percentage of former enroll-*
11 *ees who obtained a regular secondary school diploma;*

12 *“(2) the number and percentage of former enroll-*
13 *ees who entered unsubsidized employment;*

14 *“(3) the number and percentage of former enroll-*
15 *ees who obtained a recognized postsecondary creden-*
16 *tial, including an industry-recognized credential;*

17 *“(4) the number and percentage of former enroll-*
18 *ees who entered into military service; and*

19 *“(5) any additional information required by the*
20 *Secretary.*

21 *“(e) METHODS.—The Secretary shall collect the infor-*
22 *mation described in subsections (c) and (d), using methods*
23 *described in section 136(i)(2) and consistent with State law,*
24 *by entering into agreements with the States to access such*

1 *data for Job Corps enrollees, former enrollees, and grad-*
2 *uates.*

3 “(f) *TRANSPARENCY AND ACCOUNTABILITY.*—

4 “(1) *REPORT.*—*The Secretary shall collect and*
5 *annually submit to the Committee on Education and*
6 *the Workforce of the House of Representatives and the*
7 *Committee on Health, Education, Labor and Pen-*
8 *sions of the Senate, as well as make available to the*
9 *public by electronic means, a report containing—*

10 “(A) *information on the performance of*
11 *each Job Corps center, and the Job Corps pro-*
12 *gram, on the performance indicators described in*
13 *paragraphs (1) and (2) of subsection (c);*

14 “(B) *a comparison of each Job Corps cen-*
15 *ter, by rank, on the performance indicators de-*
16 *scribed in paragraphs (1) and (2) of subsection*
17 *(c);*

18 “(C) *a comparison of each Job Corps center,*
19 *by rank, on the average performance of all pri-*
20 *mary indicators described in paragraph (1) of*
21 *subsection (c);*

22 “(D) *information on the performance of the*
23 *service providers described in paragraphs (3)*
24 *and (4) of subsection (c) on the performance in-*
25 *dicators established under such paragraphs; and*

1 “(E) a comparison of each service provider,
2 by rank, on the performance of all service pro-
3 viders described in paragraphs (3) and (4) of
4 subsection (c) on the performance indicators es-
5 tablished under such paragraphs.

6 “(2) ASSESSMENT.—The Secretary shall conduct
7 an annual assessment of the performance of each Job
8 Corps center which shall include information on the
9 Job Corps centers that—

10 “(A) are ranked in the bottom 10 percent on
11 the performance indicator described in para-
12 graph (1)(C); or

13 “(B) have failed a safety and health code re-
14 view described in subsection (g).

15 “(3) PERFORMANCE IMPROVEMENT.—With re-
16 spect to a Job Corps center that is identified under
17 paragraph (2) or reports less than 50 percent on the
18 performance indicators described in subparagraphs
19 (A), (B), or (C) of subsection (c)(1), the Secretary
20 shall develop and implement a 1 year performance
21 improvement plan. Such a plan shall require action
22 including—

23 “(A) providing technical assistance to the
24 center;

1 “(B) *changing the management staff of the*
2 *center;*

3 “(C) *replacing the operator of the center;*

4 “(D) *reducing the capacity of the center; or*

5 “(E) *closing the center.*

6 “(4) *CLOSURE OF JOB CORPS CENTERS.—Job*
7 *Corps centers that have been identified under para-*
8 *graph (2) for more than 4 consecutive years shall be*
9 *closed. The Secretary shall ensure—*

10 “(A) *that the proposed decision to close the*
11 *center is announced in advance to the general*
12 *public through publication in the Federal Reg-*
13 *ister and other appropriate means; and*

14 “(B) *the establishment of a reasonable com-*
15 *ment period, not to exceed 30 days, for interested*
16 *individuals to submit written comments to the*
17 *Secretary.*

18 “(g) *PARTICIPANT HEALTH AND SAFETY.—The Sec-*
19 *retary shall enter into an agreement with the General Serv-*
20 *ices Administration or the appropriate State agency re-*
21 *sponsible for inspecting public buildings and safeguarding*
22 *the health of disadvantaged students, to conduct an in-per-*
23 *son review of the physical condition and health-related ac-*
24 *tivities of each Job Corps center annually. Such review*

1 *shall include a passing rate of occupancy under Federal*
2 *and State ordinances.”.*

3 ***Subtitle D—National Programs***

4 ***SEC. 130. TECHNICAL ASSISTANCE.***

5 *Section 170 (29 U.S.C. 2915) is amended—*

6 *(1) by striking subsection (b);*

7 *(2) by striking:*

8 *“(a) GENERAL TECHNICAL ASSISTANCE.—”;*

9 *(3) by redesignating paragraphs (1), (2), and (3)*
10 *as subsections (a), (b), and (c) respectively, and mov-*
11 *ing such subsections 2 ems to the left;*

12 *(4) in subsection (a) (as so redesignated)—*

13 *(A) by inserting “the training of staff pro-*
14 *viding rapid response services, the training of*
15 *other staff of recipients of funds under this title,*
16 *assistance regarding accounting and program*
17 *operation practices (when such assistance would*
18 *not be duplicative to assistance provided by the*
19 *State), technical assistance to States that do not*
20 *meet State performance measures described in*
21 *section 136,” after “localities,”; and*

22 *(B) by striking “from carrying out activi-*
23 *ties” and all that follows up to the period and*
24 *inserting “to implement the amendments made*
25 *by the SKILLS Act”;*

1 (5) *in subsection (b) (as so redesignated)*—

2 (A) *by striking “paragraph (1)” and insert-*
3 *ing “subsection (a)”;*

4 (B) *by striking “, or recipient of financial*
5 *assistance under any of sections 166 through*
6 *169,”; and*

7 (C) *by striking “or grant recipient”;*

8 (6) *in subsection (c) (as so redesignated), by*
9 *striking “paragraph (1)” and inserting “subsection*
10 *(a)”;* and

11 (7) *by inserting, after subsection (c) (as so red-*
12 *esignated), the following:*

13 “*(d) BEST PRACTICES COORDINATION.—The Secretary*
14 *shall—*

15 “*(1) establish a system through which States*
16 *may share information regarding best practices with*
17 *regard to the operation of workforce investment ac-*
18 *tivities under this Act; and*

19 “*(2) evaluate and disseminate information re-*
20 *garding best practices and identify knowledge gaps.”.*

21 **SEC. 131. EVALUATIONS.**

22 *Section 172 (29 U.S.C. 2917) is amended—*

23 (1) *in subsection (a), by striking “the Secretary*
24 *shall provide for the continuing evaluation of the pro-*
25 *grams and activities, including those programs and*

1 *activities carried out under section 171” and insert-*
2 *ing “the Secretary, through grants, contracts, or coop-*
3 *erative agreements, shall conduct, at least once every*
4 *5 years, an independent evaluation of the programs*
5 *and activities funded under this Act”;*

6 *(2) in subsection (a)(4) is amended to read as*
7 *follows:*

8 *“(4) the impact of receiving services and not re-*
9 *ceiving services under such programs and activities*
10 *on the community, businesses, and individuals;”;*

11 *(3) in subsection (c) is amended to read as fol-*
12 *lows:*

13 *“(c) TECHNIQUES.—Evaluations conducted under this*
14 *section shall utilize appropriate and rigorous methodology*
15 *and research designs, including the use of control groups*
16 *chosen by scientific random assignment methodologies,*
17 *quasi-experimental methods, impact analysis and the use*
18 *of administrative data. The Secretary shall conduct an im-*
19 *pact analysis, as described in subsection (a)(4), of the for-*
20 *mula grant program under subtitle B not later than 2015,*
21 *and thereafter shall conduct such an analysis not less than*
22 *once every four years.”;*

23 *(4) in subsection (e) is amended by striking “the*
24 *Committee on Labor and Human Resources of the*

1 *Senate” and inserting “the Committee on Health,*
2 *Education, Labor, and Pensions of the Senate”;* and
3 *(5) by adding at the end, the following:*

4 “*(g) PUBLIC AVAILABILITY.—The results of the evalua-*
5 *tions conducted under this section shall be made publicly*
6 *available, including by posting such results on the Depart-*
7 *ment’s website.”.*

8 ***Subtitle E—Administration***

9 ***SEC. 132. REQUIREMENTS AND RESTRICTIONS.***

10 *Section 181 (29 U.S.C. 2931) is amended—*

11 *(1) in subsection (b)(6), by striking “, including*
12 *representatives of businesses and of labor organiza-*
13 *tions”;*

14 *(2) in subsection (c)(2)(A), in the matter pre-*
15 *ceding clause (i), by striking “shall” and inserting*
16 *“may”;*

17 *(3) in subsection (e)—*

18 *(A) by striking “training for” and inserting*
19 *“the entry into employment, retention in em-*
20 *ployment, or increases in earnings of”;* and

21 *(B) by striking “subtitle B” and inserting*
22 *“this Act”;*

23 *(4) in subsection (f)(4), by striking*
24 *“134(a)(3)(B)” and inserting “134(a)(6)”;* and

25 *(5) by adding at the end the following:*

1 “(g) *SALARY AND BONUS LIMITATION.*—No funds pro-
2 vided under this title shall be used by a recipient or sub-
3 recipient of such funds to pay the salary and bonuses of
4 an individual, either as direct costs or indirect costs, at
5 a rate in excess of Level II of the Federal Executive Pay
6 Schedule (5 U.S.C. 5313). This limitation shall not apply
7 to vendors providing goods and services as defined in OMB
8 Circular A–133. Where States are recipients of such funds,
9 States may establish a lower limit for salaries and bonuses
10 of those receiving salaries and bonuses from subrecipients
11 of such funds, taking into account factors including the rel-
12 ative cost-of-living in the State, the compensation levels for
13 comparable State or local government employees, and the
14 size of the organizations that administer the programs.

15 “(h) *GENERAL AUTHORITY.*—

16 “(1) *IN GENERAL.*—The Employment and
17 Training Administration of the U.S. Department of
18 Labor (hereinafter in this Act referred to as the ‘Ad-
19 ministration’) shall administer all programs author-
20 ized under title I and III of this Act. The Adminis-
21 tration shall be headed by an Assistant Secretary ap-
22 pointed by the President by and with the advice and
23 consent of the Senate. Except for titles II and IV, the
24 Administration shall be the principal agency, and the

1 *Assistant Secretary shall be the principal officer, of*
2 *such Department for carrying out this Act.*

3 “(2) *QUALIFICATIONS.—The Assistant Secretary*
4 *shall be an individual with substantial experience in*
5 *workforce development and in workforce development*
6 *management. The Assistant Secretary shall also, to*
7 *the maximum extent possible, possess knowledge and*
8 *have worked in or with the State or local workforce*
9 *investment system or have been a member of the busi-*
10 *ness community. In the performance of the functions*
11 *of the office, the Assistant Secretary shall be directly*
12 *responsible to the Secretary or the Under Secretary as*
13 *designed by the Secretary. The functions of the Assist-*
14 *ant Secretary shall not be delegated to any officer not*
15 *directly responsible, both with respect to program op-*
16 *eration and administration, to the Assistant Sec-*
17 *retary. Any reference in this Act to duties to be car-*
18 *ried out by the Assistant Secretary shall be considered*
19 *to be a reference to duties to be carried out by the*
20 *Secretary acting through the Assistant Secretary.”.*

21 **SEC. 133. PROMPT ALLOCATION OF FUNDS.**

22 *Section 182 (29 U.S.C. 2932) is amended—*

23 (1) *in subsection (c), by striking “127 or”; and*

24 (2) *in subsection (e)—*

1 (A) by striking “sections 128 and 133” and
2 inserting “section 133”; and
3 (B) by striking “127 or”.

4 **SEC. 134. FISCAL CONTROLS; SANCTIONS.**

5 Section 184(a)(2) (29 U.S.C. 2934(a)(2)) is amend-
6 ed—

7 (1) by striking “(A)” and all that follows
8 through “Each” and inserting “Each”; and
9 (2) by striking subparagraph (B).

10 **SEC. 135. REPORTS TO CONGRESS.**

11 Section 185 (29 U.S.C. 2935) is amended—

12 (1) in subsection (c)—

13 (A) in paragraph (2), by striking “and”
14 after the semicolon;

15 (B) in paragraph (3), by striking the period
16 and inserting “; and”; and

17 (C) by adding at the end the following:

18 “(4) shall have the option to submit or dissemi-
19 nate electronically any reports, records, plans, or any
20 other data that are required to be collected or dissemi-
21 nated under this title.”; and

22 (2) in subsection (e)(2), by inserting “and the
23 Secretary shall submit to the Committee on Edu-
24 cation and the Workforce of the House of Representa-
25 tives and the Committee on Health, Education,

1 *Labor, and Pensions of the Senate,*” after “Sec-
2 *retary,*”.

3 **SEC. 136. ADMINISTRATIVE PROVISIONS.**

4 *Section 189 (29 U.S.C. 2939) is amended—*

5 *(1) in subsection (g)—*

6 *(A) by amending paragraph (1) to read as*
7 *follows:*

8 *“(1) IN GENERAL.—Appropriations for any fis-*
9 *cal year for programs and activities carried out*
10 *under this title shall be available for obligation only*
11 *on the basis of a program year. The program year*
12 *shall begin on October 1 in the fiscal year for which*
13 *the appropriation is made.”; and*

14 *(B) in paragraph (2)—*

15 *(i) by striking “each State” and insert-*
16 *ing “each recipient”; and*

17 *(ii) by striking “171 or”;*

18 *(2) in subsection (i)—*

19 *(A) by striking paragraphs (2) and (3);*

20 *(B) by redesignating paragraph (4) as*
21 *paragraph (2);*

22 *(C) by amending paragraph (2)(A), as so*
23 *redesignated—*

24 *(i) by striking “requirements of sub-*
25 *paragraph (B)” and all that follows through*

1 *“any of the statutory or regulatory require-*
2 *ments of subtitle B” and inserting “require-*
3 *ments of subparagraph (B) or (D), any of*
4 *the statutory or regulatory requirements of*
5 *subtitle B”;*

6 *(ii) by striking clause (ii); and*

7 *(iii) in clause (i), by striking “; and”*
8 *and inserting a period at the end; and*

9 *(D) by adding at the end the following:*

10 *“(D) EXPEDITED PROCESS FOR EXTENDING*
11 *APPROVED WAIVERS TO ADDITIONAL STATES.—*

12 *In lieu of the requirements of subparagraphs (B)*
13 *and (C), the Secretary may establish an expe-*
14 *ditated procedure for the purpose of extending to*
15 *additional States the waiver of statutory or regu-*
16 *latory requirements that have been approved for*
17 *a State pursuant to a request under subpara-*
18 *graph (B). Such procedure shall ensure that the*
19 *extension of such waivers to additional States*
20 *are accompanied by appropriate conditions re-*
21 *lating the implementation of such waivers.*

22 *“(E) EXTERNAL CONDITIONS.—The Sec-*
23 *retary shall not require or impose new or addi-*
24 *tional requirements, which are not specified*
25 *under this Act, on a State in exchange for pro-*

1 *viding a waiver to the State or a local area in*
2 *the State under this paragraph.”.*

3 **SEC. 137. STATE LEGISLATIVE AUTHORITY.**

4 *Section 191(a) (29 U.S.C. 2941(a)) is amended—*

5 *(1) by striking “consistent with the provisions of*
6 *this title” and inserting “consistent with State law*
7 *and the provisions of this title”; and*

8 *(2) by striking “consistent with the terms and*
9 *conditions required under this title” and inserting*
10 *“consistent with State law and the terms and condi-*
11 *tions required under this title”.*

12 **SEC. 138. GENERAL PROGRAM REQUIREMENTS.**

13 *Section 195 (29 U.S.C. 2945) is amended—*

14 *(1) in paragraph (7), by inserting at the end the*
15 *following:*

16 *“(D) Funds received by a public or private non-*
17 *profit entity that are not described in paragraph (B),*
18 *such as funds privately raised from philanthropic*
19 *foundations, businesses, or other private entities, shall*
20 *not be considered to be income under this title and*
21 *shall not be subject to the requirements of this sec-*
22 *tion.”; and*

23 *(2) by adding at the end the following new para-*
24 *graphs:*

1 “(14) Funds provided under this title shall not
2 be used to establish or operate stand-alone fee-for-serv-
3 ice enterprises that compete with private sector em-
4 ployment agencies within the meaning of section
5 701(c) of the Civil Rights Act of 1964 (42 U.S.C.
6 2000e(c)), except that for purposes of this paragraph,
7 such an enterprise does not include one-stop centers.

8 “(15) Any report required to be submitted to
9 Congress, or to a Committee of Congress, under this
10 title shall be submitted to both the chairmen and
11 ranking minority members of the Committee on Edu-
12 cation and the Workforce of the House of Representa-
13 tives and the Committee on Health, Education,
14 Labor, and Pensions of the Senate.”.

15 **SEC. 139. FEDERAL AGENCY STAFF.**

16 Subtitle E of title I (29 U.S.C. 2931 et seq.) is amend-
17 ed by adding at the end the following new sections:

18 **“SEC. 196. FEDERAL AGENCY STAFF.**

19 “The Director of the Office of Management and Budget
20 shall—

21 “(1) not later than 60 days after the date of the
22 enactment of the SKILLS Act—

23 “(A) identify the number of Federal govern-
24 ment employees who work on or administer each
25 of the programs authorized under this Act or re-

1 *pealed under section 401 of the SKILLS Act, as*
2 *such programs were in effect on the day before*
3 *such date of enactment; and*

4 *“(B) identify the number of full-time equiv-*
5 *alent employees who work on or administer each*
6 *of the programs authorized under this Act or re-*
7 *pealed under section 401 of the SKILLS Act, as*
8 *such programs were in effect on the day before*
9 *such date of enactment, and that have been*
10 *eliminated or consolidated on or after such date*
11 *of enactment;*

12 *“(2) not later than 90 after such date of enact-*
13 *ment, publish the information described in paragraph*
14 *(1) on the Office of Management and Budget website;*

15 *“(3) not later than 1 year after such date of en-*
16 *actment—*

17 *“(A) reduce the workforce of the Federal*
18 *Government by the number of full-time equiva-*
19 *lent employees identified under paragraph*
20 *(1)(B); and*

21 *“(B) submit to Congress a report on how*
22 *the Director carried out the requirements of sub-*
23 *paragraph (A).*

1 **“SEC. 197. RESTRICTIONS ON LOBBYING AND POLITICAL**
2 **ACTIVITIES.**

3 *“(a) LOBBYING RESTRICTIONS.—*

4 *“(1) PUBLICITY RESTRICTIONS.—*

5 *“(A) IN GENERAL.—Subject to subpara-*
6 *graph (B), no funds provided under this Act*
7 *shall be used or proposed for use, for—*

8 *“(i) publicity or propaganda purposes;*

9 *or*

10 *“(ii) the preparation, distribution, or*
11 *use of any kit, pamphlet, booklet, publica-*
12 *tion, electronic communication, radio, tele-*
13 *vision, or video presentation designed to*
14 *support or defeat the enactment of legisla-*
15 *tion before the Congress or any State or*
16 *local legislature or legislative body.*

17 *“(B) EXCEPTION.—Subparagraph (A) shall*
18 *not apply to—*

19 *“(i) normal and recognized executive-*
20 *legislative relationships;*

21 *“(ii) the preparation, distribution, or*
22 *use of the materials described in subpara-*
23 *graph (A)(ii) in presentation to the Con-*
24 *gress or any State or local legislature (ex-*
25 *cept that this subparagraph does not apply*
26 *with respect to such preparation, distribu-*

1 *tion, or use in presentation to the executive*
2 *branch of any State or local government);*
3 *or*

4 *“(iii) if such materials are designed to*
5 *support or defeat any proposed or pending*
6 *regulation, administrative action, or order*
7 *issued by the executive branch of any State*
8 *or local government.*

9 *“(2) SALARY PAYMENT RESTRICTION.—No funds*
10 *provided under this Act shall be used, or proposed for*
11 *use, to pay the salary or expenses of any grant or*
12 *contract recipient, or agent acting for such recipient,*
13 *related to any activity designed to influence the en-*
14 *actment of legislation, appropriations, regulations,*
15 *administrative action, or executive order proposed or*
16 *pending before the Congress or any State government,*
17 *or State legislature or local legislature or legislative*
18 *body, other than for normal and recognized executive-*
19 *legislative relationships or participation by an agen-*
20 *cy or officer of a State, local, or tribal government in*
21 *policymaking and administrative processes within the*
22 *executive branch of that government.*

23 *“(b) POLITICAL RESTRICTIONS.—*

1 “(1) *IN GENERAL.*—No funds received by a par-
2 *ticipant of a program or an activity under this Act*
3 *shall be used for—*

4 “(A) *any partisan or nonpartisan political*
5 *activity or any other political activity associated*
6 *with a candidate, or contending faction or*
7 *group, in an election for public or party office;*
8 *or*

9 “(B) *any activity to provide voters with*
10 *transportation to the polls or similar assistance*
11 *in connection with any such election.*

12 “(2) *DEFINITION.*—For the purposes of this sub-
13 *section, the term ‘participant’ includes any State,*
14 *local area, or governmental, nonprofit, or for-profit*
15 *entity receiving funds under this Act.*

16 “(3) *RESTRICTION ON VOTER REGISTRATION AC-*
17 *TIVITIES.*—No funds under this Act shall be used to
18 *conduct voter registration activities.”.*

19 ***Subtitle F—State Unified Plan***

20 ***SEC. 140. STATE UNIFIED PLAN.***

21 *Section 501 (20 U.S.C. 9271) is amended—*

22 (1) *by amending subsection (a) to read as fol-*
23 *lows:*

1 “(a) *GENERAL AUTHORITY.*—*The Secretary shall re-*
2 *ceive and approve State unified plans developed and sub-*
3 *mitted under this section.*”;

4 (2) *by amending subsection (b) to read as fol-*
5 *lows:*

6 “(b) *STATE UNIFIED PLAN.*—

7 “(1) *IN GENERAL.*—*A State may develop and*
8 *submit to the Secretary a State unified plan for 2 or*
9 *more of the activities or programs set forth in para-*
10 *graph (2). The State unified plan shall cover one or*
11 *more of the activities set forth in subparagraphs (A)*
12 *and (B) of paragraph (2) and may cover one or more*
13 *of the activities set forth in subparagraphs (C)*
14 *through (N) of paragraph (2). For purposes of this*
15 *paragraph, the activities and programs described in*
16 *subparagraphs (A) and (B) of paragraph (2) shall*
17 *not be considered to be 2 or more activities or pro-*
18 *grams for purposes of the unified plan. Such activi-*
19 *ties or programs shall be considered to be 1 activity*
20 *or program.*

21 “(2) *ACTIVITIES AND PROGRAMS.*—*The activities*
22 *and programs referred to in paragraph (1) are as fol-*
23 *lows:*

24 “(A) *Programs and activities authorized*
25 *under title I.*

1 “(B) Programs and activities authorized
2 under title II.

3 “(C) Programs authorized under the Reha-
4 bilitation Act of 1973.

5 “(D) Secondary career education programs
6 authorized under the Carl D. Perkins Career and
7 Applied Technology Education Act.

8 “(E) Postsecondary career education pro-
9 grams authorized under the Carl D. Perkins Ca-
10 reer and Applied Technology Education Act.

11 “(F) Programs and activities authorized
12 under title II of the Trade Act of 1974.

13 “(G) National Apprenticeship Act of 1937.

14 “(H) Programs authorized under the Com-
15 munity Services Block Grant Act.

16 “(I) Programs authorized under the part A
17 of title IV of the Social Security Act.

18 “(J) Programs authorized under State un-
19 employment compensation laws (in accordance
20 with applicable Federal law).

21 “(K) Work programs authorized under sec-
22 tion 6(o) of the Food Stamp Act of 1977.

23 “(L) Programs and activities authorized
24 title I of the Housing and Community Develop-
25 ment Act of 1974.

1 “(M) *Programs and activities authorized*
2 *under the Public Workers and Economic Devel-*
3 *opment Act of 1965.*

4 “(N) *Activities as defined under chapter 41*
5 *of title 38, United States Code.*”;

6 (3) *by amending subsection (d) to read as fol-*
7 *lows:*

8 “(d) *APPROVAL.—*

9 “(1) *JURISDICTION.—In approving a State uni-*
10 *fied plan under this section, the Secretary shall—*

11 “(A) *submit the portion of the State unified*
12 *plan covering an activity or program described*
13 *in subsection (b)(2) to the head of the Federal*
14 *agency who exercises administrative authority*
15 *over the activity or program for the approval of*
16 *such portion by such Federal agency head; or*

17 “(B) *coordinate approval of the portion of*
18 *the State unified plan covering an activity or*
19 *program described in subsection (b)(2) with the*
20 *head of the Federal agency who exercises admin-*
21 *istrative authority over the activity or program.*

22 “(2) *TIMELINE.—A State unified plan shall be*
23 *considered to be approved by the Secretary at the end*
24 *of the 90-day period beginning on the day the Sec-*
25 *retary receives the plan, unless the Secretary makes a*

1 *written determination, during the 90-day period, that*
2 *details how the plan is not consistent with the re-*
3 *quirements of the Federal statute authorizing an ac-*
4 *tivity or program described in subsection (b)(2) and*
5 *covered under the plan or how the plan is not con-*
6 *sistent with the requirements of subsection (c)(3).”;*
7 *and*

8 *(4) by adding at the end the following:*

9 *“(e) ADDITIONAL EMPLOYMENT AND TRAINING*
10 *FUNDS.—*

11 *“(1) PURPOSE.—It is the purpose of this sub-*
12 *section to reduce inefficiencies in the administration*
13 *of federally-funded State and local employment and*
14 *training programs.*

15 *“(2) IN GENERAL.—In developing a State uni-*
16 *fied plan for the activities or programs described in*
17 *subsection (b)(2) and subject to paragraph (4) and the*
18 *State plan approval process under subsection (d), a*
19 *State may propose to consolidate the amount, in*
20 *whole or part, provided for the activities or programs*
21 *dedicated to employment and training into the Work-*
22 *force Investment Fund under section 132(b) to im-*
23 *prove the administration of State and local employ-*
24 *ment and training programs.*

1 “(3) *REQUIREMENTS.*—*A State with a State*
2 *unified plan approved under subsection (d) for pur-*
3 *poses of consolidation under paragraph (2) and that*
4 *is carrying out such consolidation shall—*

5 “(A) *continue to meet the program require-*
6 *ments, limitations, and prohibitions of any Fed-*
7 *eral statute authorizing the activity or program*
8 *consolidated into the Workforce Investment*
9 *Fund;*

10 “(B) *meet the intent and purpose of the ac-*
11 *tivity or program consolidated into the Work-*
12 *force Investment Fund; and*

13 “(C) *continue to make reservations and al-*
14 *lotments under subsections (a) and (b) of section*
15 *133.*

16 “(4) *EXCEPTIONS.*—*A State may not consolidate*
17 *funds under paragraph (2) that are allocated to the*
18 *State under—*

19 “(A) *the Carl D. Perkins Career and Tech-*
20 *nical Education Act of 2006; or*

21 “(B) *the Rehabilitation Act of 1973.*”.

1 **TITLE II—ADULT EDUCATION**
2 **AND FAMILY LITERACY EDU-**
3 **CATION**

4 **SEC. 201. AMENDMENT.**

5 *Title II (20 U.S.C. 2901 et seq.) is amended to read*
6 *as follows:*

7 **“TITLE II—ADULT EDUCATION**
8 **AND FAMILY LITERACY EDU-**
9 **CATION**

10 **“SEC. 201. SHORT TITLE.**

11 *“This title may be cited as the ‘Adult Education and*
12 *Family Literacy Education Act’.*

13 **“SEC. 202. PURPOSE.**

14 *“It is the purpose of this title to provide instructional*
15 *opportunities for adults seeking to improve their literacy*
16 *skills, including their basic reading, writing, speaking, and*
17 *math skills, and support States and local communities in*
18 *providing, on a voluntary basis, adult education and fam-*
19 *ily literacy education programs, in order to—*

20 *“(1) increase the literacy of adults, including the*
21 *basic reading, writing, speaking, and math skills, to*
22 *a level of proficiency necessary for adults to obtain*
23 *employment and self-sufficiency and to successfully*
24 *advance in the workforce;*

1 “(2) assist adults in the completion of a sec-
2 ondary school education (or its equivalent) and the
3 transition to a postsecondary educational institution;

4 “(3) assist adults who are parents to enable them
5 to support the educational development of their chil-
6 dren and make informed choices regarding their chil-
7 dren’s education including, through instruction in
8 basic reading, writing, speaking, and math skills; and

9 “(4) assist adults who are not proficient in
10 English in improving their reading, writing, speak-
11 ing, listening, comprehension, and math skills.

12 **“SEC. 203. DEFINITIONS.**

13 *“In this title:*

14 “(1) *ADULT EDUCATION AND FAMILY LITERACY*
15 *EDUCATION PROGRAMS.—The term ‘adult education*
16 *and family literacy education programs’ means a se-*
17 *quence of academic instruction and educational serv-*
18 *ices below the postsecondary level that increase an in-*
19 *dividual’s ability to read, write, and speak English*
20 *and perform mathematical computations leading to a*
21 *level of proficiency equivalent to at least a secondary*
22 *school completion that is provided for individuals—*

23 “(A) *who are at least 16 years of age;*

1 “(B) who are not enrolled or required to be
2 enrolled in secondary school under State law;
3 and

4 “(C) who—

5 “(i) lack sufficient mastery of basic
6 reading, writing, speaking, and math skills
7 to enable the individuals to function effec-
8 tively in society;

9 “(ii) do not have a secondary school
10 diploma or its equivalent and have not
11 achieved an equivalent level of education; or

12 “(iii) are English learners.

13 “(2) *ELIGIBLE AGENCY*.—The term ‘eligible
14 agency’—

15 “(A) means the primary entity or agency in
16 a State or an outlying area responsible for ad-
17 ministering or supervising policy for adult edu-
18 cation and family literacy education programs
19 in the State or outlying area, respectively, con-
20 sistent with the law of the State or outlying
21 area, respectively; and

22 “(B) may be the State educational agency,
23 the State agency responsible for administering
24 workforce investment activities, or the State

1 *agency responsible for administering community*
2 *or technical colleges.*

3 “(3) *ELIGIBLE PROVIDER.*—*The term ‘eligible*
4 *provider’ means an organization of demonstrated ef-*
5 *fectiveness which is—*

6 “(A) *a local educational agency;*

7 “(B) *a community-based or faith-based or-*
8 *ganization;*

9 “(C) *a volunteer literacy organization;*

10 “(D) *an institution of higher education;*

11 “(E) *a public or private educational agen-*
12 *cy;*

13 “(F) *a library;*

14 “(G) *a public housing authority;*

15 “(H) *an institution that is not described in*
16 *any of subparagraphs (A) through (G) and has*
17 *the ability to provide adult education, basic*
18 *skills, and family literacy education programs to*
19 *adults and families; or*

20 “(I) *a consortium of the agencies, organiza-*
21 *tions, institutions, libraries, or authorities de-*
22 *scribed in any of subparagraphs (A) through*
23 *(H).*

1 “(4) *ENGLISH LANGUAGE ACQUISITION PRO-*
2 *GRAM.—The term ‘English language acquisition pro-*
3 *gram’ means a program of instruction—*

4 “(A) *designed to help English learners*
5 *achieve competence in reading, writing, speak-*
6 *ing, and comprehension of the English language;*
7 *and*

8 “(B) *that may lead to—*

9 “(i) *attainment of a secondary school*
10 *diploma or its recognized equivalent;*

11 “(ii) *transition to success in postsec-*
12 *ondary education and training; and*

13 “(iii) *employment or career advance-*
14 *ment.*

15 “(5) *FAMILY LITERACY EDUCATION PROGRAM.—*
16 *The term ‘family literacy education program’ means*
17 *an educational program that—*

18 “(A) *assists parents and students, on a vol-*
19 *untary basis, in achieving the purposes of this*
20 *title as described in section 202; and*

21 “(B) *is of sufficient intensity in terms of*
22 *hours and of sufficient quality to make sustain-*
23 *able changes in a family, is evidence-based, and,*
24 *for the purpose of substantially increasing the*

1 *ability of parents and children to read, write,*
2 *and speak English, integrates—*

3 “(i) *interactive literacy activities be-*
4 *tween parents and their children;*

5 “(ii) *training for parents regarding*
6 *how to be the primary teacher for their chil-*
7 *dren and full partners in the education of*
8 *their children;*

9 “(iii) *parent literacy training that*
10 *leads to economic self-sufficiency; and*

11 “(iv) *an age-appropriate education to*
12 *prepare children for success in school and*
13 *life experiences.*

14 “(6) *GOVERNOR.—The term ‘Governor’ means*
15 *the chief executive officer of a State or outlying area.*

16 “(7) *INDIVIDUAL WITH A DISABILITY.—*

17 “(A) *IN GENERAL.—The term ‘individual*
18 *with a disability’ means an individual with any*
19 *disability (as defined in section 3 of the Ameri-*
20 *cans with Disabilities Act of 1990).*

21 “(B) *INDIVIDUALS WITH DISABILITIES.—*
22 *The term ‘individuals with disabilities’ means*
23 *more than one individual with a disability.*

24 “(8) *ENGLISH LEARNER.—The term ‘English*
25 *learner’ means an adult or out-of-school youth who*

1 *has limited ability in reading, writing, speaking, or*
2 *understanding the English language, and—*

3 *“(A) whose native language is a language*
4 *other than English; or*

5 *“(B) who lives in a family or community*
6 *environment where a language other than*
7 *English is the dominant language.*

8 *“(9) INTEGRATED EDUCATION AND TRAINING.—*
9 *The term ‘integrated education and training’ means*
10 *services that provide adult education and literacy ac-*
11 *tivities contextually and concurrently with workforce*
12 *preparation activities and workforce training for a*
13 *specific occupation or occupational cluster. Such serv-*
14 *ices may include offering adult education services*
15 *concurrent with postsecondary education and train-*
16 *ing, including through co-instruction.*

17 *“(10) INSTITUTION OF HIGHER EDUCATION.—*
18 *The term ‘institution of higher education’ has the*
19 *meaning given the term in section 101 of the Higher*
20 *Education Act of 1965.*

21 *“(11) LITERACY.—The term ‘literacy’ means an*
22 *individual’s ability to read, write, and speak in*
23 *English, compute, and solve problems at a level of*
24 *proficiency necessary to obtain employment and to*

1 *successfully make the transition to postsecondary edu-*
2 *cation.*

3 “(12) *LOCAL EDUCATIONAL AGENCY.*—*The term*
4 *‘local educational agency’ has the meaning given the*
5 *term in section 9101 of the Elementary and Sec-*
6 *ondary Education Act of 1965.*

7 “(13) *OUTLYING AREA.*—*The term ‘outlying*
8 *area’ has the meaning given the term in section 101*
9 *of this Act.*

10 “(14) *POSTSECONDARY EDUCATIONAL INSTITU-*
11 *TION.*—*The term ‘postsecondary educational institu-*
12 *tion’ means—*

13 “(A) *an institution of higher education that*
14 *provides not less than a 2-year program of in-*
15 *struction that is acceptable for credit toward a*
16 *bachelor’s degree;*

17 “(B) *a tribally controlled community col-*
18 *lege; or*

19 “(C) *a nonprofit educational institution of-*
20 *fering certificate or apprenticeship programs at*
21 *the postsecondary level.*

22 “(15) *SECRETARY.*—*The term ‘Secretary’ means*
23 *the Secretary of Education.*

1 “(16) *STATE*.—The term ‘State’ means each of
2 the several States of the United States, the District of
3 Columbia, and the Commonwealth of Puerto Rico.

4 “(17) *STATE EDUCATIONAL AGENCY*.—The term
5 ‘State educational agency’ has the meaning given the
6 term in section 9101 of the *Elementary and Sec-*
7 *ondary Education Act of 1965*.

8 “(18) *WORKPLACE LITERACY PROGRAM*.—The
9 term ‘workplace literacy program’ means an edu-
10 cational program that is offered in collaboration be-
11 tween eligible providers and employers or employee
12 organizations for the purpose of improving the pro-
13 ductivity of the workforce through the improvement of
14 reading, writing, speaking, and math skills.

15 **“SEC. 204. HOME SCHOOLS.**

16 “Nothing in this title shall be construed to affect home
17 schools, whether or not a home school is treated as a home
18 school or a private school under State law, or to compel
19 a parent engaged in home schooling to participate in adult
20 education and family literacy education activities under
21 this title.

22 **“SEC. 205. AUTHORIZATION OF APPROPRIATIONS.**

23 “There are authorized to be appropriated to carry out
24 this title, \$606,294,933 for fiscal years 2014 and for each
25 of the 6 succeeding fiscal years.

1 **“Subtitle A—Federal Provisions**

2 **“SEC. 211. RESERVATION OF FUNDS; GRANTS TO ELIGIBLE**
3 **AGENCIES; ALLOTMENTS.**

4 “(a) *RESERVATION OF FUNDS.*—From the sums ap-
5 *propriated under section 205 for a fiscal year, the Secretary*
6 *shall reserve 2.0 percent to carry out section 242.*

7 “(b) *GRANTS TO ELIGIBLE AGENCIES.*—

8 “(1) *IN GENERAL.*—From the sums appropriated
9 *under section 205 and not reserved under subsection*
10 *(a) for a fiscal year, the Secretary shall award a*
11 *grant to each eligible agency having a State plan ap-*
12 *proved under section 224 in an amount equal to the*
13 *sum of the initial allotment under subsection (c)(1)*
14 *and the additional allotment under subsection (c)(2)*
15 *for the eligible agency for the fiscal year, subject to*
16 *subsections (f) and (g).*

17 “(2) *PURPOSE OF GRANTS.*—The Secretary may
18 *award a grant under paragraph (1) only if the eligi-*
19 *ble agency involved agrees to expend the grant in ac-*
20 *cordance with the provisions of this title.*

21 “(c) *ALLOTMENTS.*—

22 “(1) *INITIAL ALLOTMENTS.*—From the sums ap-
23 *propriated under section 205 and not reserved under*
24 *subsection (a) for a fiscal year, the Secretary shall*

1 *allot to each eligible agency having a State plan ap-*
2 *proved under section 224—*

3 *“(A) \$100,000, in the case of an eligible*
4 *agency serving an outlying area; and*

5 *“(B) \$250,000, in the case of any other eli-*
6 *gible agency.*

7 *“(2) ADDITIONAL ALLOTMENTS.—From the sums*
8 *appropriated under section 205, not reserved under*
9 *subsection (a), and not allotted under paragraph (1),*
10 *for a fiscal year, the Secretary shall allot to each eli-*
11 *gible agency that receives an initial allotment under*
12 *paragraph (1) an additional amount that bears the*
13 *same relationship to such sums as the number of*
14 *qualifying adults in the State or outlying area served*
15 *by the eligible agency bears to the number of such*
16 *adults in all States and outlying areas.*

17 *“(d) QUALIFYING ADULT.—For the purpose of sub-*
18 *section (c)(2), the term ‘qualifying adult’ means an adult*
19 *who—*

20 *“(1) is at least 16 years of age;*

21 *“(2) is beyond the age of compulsory school at-*
22 *tendance under the law of the State or outlying area;*

23 *“(3) does not have a secondary school diploma or*
24 *its recognized equivalent; and*

25 *“(4) is not enrolled in secondary school.*

1 “(e) *SPECIAL RULE.*—

2 “(1) *IN GENERAL.*—*From amounts made avail-*
3 *able under subsection (c) for the Republic of Palau,*
4 *the Secretary shall award grants to Guam, American*
5 *Samoa, the Commonwealth of the Northern Mariana*
6 *Islands, or the Republic of Palau to carry out activi-*
7 *ties described in this title in accordance with the pro-*
8 *visions of this title as determined by the Secretary.*

9 “(2) *TERMINATION OF ELIGIBILITY.*—*Notwith-*
10 *standing any other provision of law, the Republic of*
11 *Palau shall be eligible to receive a grant under this*
12 *title until an agreement for the extension of United*
13 *States education assistance under the Compact of*
14 *Free Association for the Republic of Palau becomes ef-*
15 *fective.*

16 “(f) *HOLD-HARMLESS PROVISIONS.*—

17 “(1) *IN GENERAL.*—*Notwithstanding subsection*
18 *(c) and subject to paragraph (2), for—*

19 “(A) *fiscal year 2014, no eligible agency*
20 *shall receive an allotment under this title that is*
21 *less than 90 percent of the allotment the eligible*
22 *agency received for fiscal year 2012 under this*
23 *title; and*

24 “(B) *fiscal year 2015 and each succeeding*
25 *fiscal year, no eligible agency shall receive an al-*

1 *lotment under this title that is less than 90 per-*
2 *cent of the allotment the eligible agency received*
3 *for the preceding fiscal year under this title.*

4 “(2) *RATABLE REDUCTION.*—*If, for any fiscal*
5 *year the amount available for allotment under this*
6 *title is insufficient to satisfy the provisions of para-*
7 *graph (1), the Secretary shall ratable reduce the pay-*
8 *ments to all eligible agencies, as necessary.*

9 “(g) *REALLOTMENT.*—*The portion of any eligible*
10 *agency’s allotment under this title for a fiscal year that the*
11 *Secretary determines will not be required for the period*
12 *such allotment is available for carrying out activities under*
13 *this title, shall be available for reallocation from time to*
14 *time, on such dates during such period as the Secretary*
15 *shall fix, to other eligible agencies in proportion to the origi-*
16 *nal allotments to such agencies under this title for such*
17 *year.*

18 **“SEC. 212. PERFORMANCE ACCOUNTABILITY SYSTEM.**

19 *“Programs and activities authorized under this title*
20 *are subject to the performance accountability provisions de-*
21 *scribed in paragraph (2)(A) and (3) of section 136(b) and*
22 *may, at a State’s discretion, include additional indicators*
23 *identified in the State plan approved under section 224.*

1 **“Subtitle B—State Provisions**

2 **“SEC. 221. STATE ADMINISTRATION.**

3 *“Each eligible agency shall be responsible for the fol-*
4 *lowing activities under this title:*

5 *“(1) The development, submission, implementa-*
6 *tion, and monitoring of the State plan.*

7 *“(2) Consultation with other appropriate agen-*
8 *cies, groups, and individuals that are involved in, or*
9 *interested in, the development and implementation of*
10 *activities assisted under this title.*

11 *“(3) Coordination and avoidance of duplication*
12 *with other Federal and State education, training, cor-*
13 *rections, public housing, and social service programs.*

14 **“SEC. 222. STATE DISTRIBUTION OF FUNDS; MATCHING RE-**
15 **QUIREMENT.**

16 *“(a) STATE DISTRIBUTION OF FUNDS.—Each eligible*
17 *agency receiving a grant under this title for a fiscal year—*

18 *“(1) shall use an amount not less than 82.5 per-*
19 *cent of the grant funds to award grants and contracts*
20 *under section 231 and to carry out section 225, of*
21 *which not more than 10 percent of such amount shall*
22 *be available to carry out section 225;*

23 *“(2) shall use not more than 12.5 percent of the*
24 *grant funds to carry out State leadership activities*
25 *under section 223; and*

1 “(3) shall use not more than 5 percent of the
2 grant funds, or \$65,000, whichever is greater, for the
3 administrative expenses of the eligible agency.

4 “(b) *MATCHING REQUIREMENT.*—

5 “(1) *IN GENERAL.*—In order to receive a grant
6 from the Secretary under section 211(b), each eligible
7 agency shall provide, for the costs to be incurred by
8 the eligible agency in carrying out the adult edu-
9 cation and family literacy education programs for
10 which the grant is awarded, a non-Federal contribu-
11 tion in an amount that is not less than—

12 “(A) in the case of an eligible agency serv-
13 ing an outlying area, 12 percent of the total
14 amount of funds expended for adult education
15 and family literacy education programs in the
16 outlying area, except that the Secretary may de-
17 crease the amount of funds required under this
18 subparagraph for an eligible agency; and

19 “(B) in the case of an eligible agency serv-
20 ing a State, 25 percent of the total amount of
21 funds expended for adult education and family
22 literacy education programs in the State.

23 “(2) *NON-FEDERAL CONTRIBUTION.*—An eligible
24 agency’s non-Federal contribution required under
25 paragraph (1) may be provided in cash or in kind,

1 *fairly evaluated, and shall include only non-Federal*
2 *funds that are used for adult education and family*
3 *literacy education programs in a manner that is con-*
4 *sistent with the purpose of this title.*

5 **“SEC. 223. STATE LEADERSHIP ACTIVITIES.**

6 “(a) *IN GENERAL.—Each eligible agency may use*
7 *funds made available under section 222(a)(2) for any of*
8 *the following adult education and family literacy education*
9 *programs:*

10 “(1) *The establishment or operation of profes-*
11 *sional development programs to improve the quality*
12 *of instruction provided pursuant to local activities re-*
13 *quired under section 231(b).*

14 “(2) *The provision of technical assistance to eli-*
15 *gible providers of adult education and family literacy*
16 *education programs, including for the development*
17 *and dissemination of evidence based research instruc-*
18 *tional practices in reading, writing, speaking, math,*
19 *and English language acquisition programs.*

20 “(3) *The provision of assistance to eligible pro-*
21 *viders in developing, implementing, and reporting*
22 *measurable progress in achieving the objectives of this*
23 *title.*

1 “(4) *The monitoring and evaluation of the qual-*
2 *ity of, and the improvement in, adult education and*
3 *literacy activities.*

4 “(5) *The provision of technology assistance, in-*
5 *cluding staff training, to eligible providers of adult*
6 *education and family literacy education programs,*
7 *including distance education activities, to enable the*
8 *eligible providers to improve the quality of such ac-*
9 *tivities.*

10 “(6) *The development and implementation of*
11 *technology applications or distance education, includ-*
12 *ing professional development to support the use of in-*
13 *structional technology.*

14 “(7) *Coordination with other public programs,*
15 *including programs under title I of this Act, and*
16 *other welfare-to-work, workforce development, and job*
17 *training programs.*

18 “(8) *Coordination with existing support services,*
19 *such as transportation, child care, and other assist-*
20 *ance designed to increase rates of enrollment in, and*
21 *successful completion of, adult education and family*
22 *literacy education programs, for adults enrolled in*
23 *such activities.*

1 “(9) *The development and implementation of a*
2 *system to assist in the transition from adult basic*
3 *education to postsecondary education.*

4 “(10) *Activities to promote workplace literacy*
5 *programs.*

6 “(11) *Other activities of statewide significance,*
7 *including assisting eligible providers in achieving*
8 *progress in improving the skill levels of adults who*
9 *participate in programs under this title.*

10 “(12) *Integration of literacy, instructional, and*
11 *occupational skill training and promotion of linkages*
12 *with employees.*

13 “(b) *COORDINATION.—In carrying out this section, eli-*
14 *gible agencies shall coordinate where possible, and avoid du-*
15 *plicating efforts, in order to maximize the impact of the*
16 *activities described in subsection (a).*

17 “(c) *STATE-IMPOSED REQUIREMENTS.—Whenever a*
18 *State or outlying area implements any rule or policy relat-*
19 *ing to the administration or operation of a program au-*
20 *thorized under this title that has the effect of imposing a*
21 *requirement that is not imposed under Federal law (includ-*
22 *ing any rule or policy based on a State or outlying area*
23 *interpretation of a Federal statute, regulation, or guide-*
24 *line), the State or outlying area shall identify, to eligible*

1 providers, the rule or policy as being imposed by the State
2 or outlying area.

3 **“SEC. 224. STATE PLAN.**

4 “(a) 3-YEAR PLANS.—

5 “(1) IN GENERAL.—Each eligible agency desiring
6 a grant under this title for any fiscal year shall sub-
7 mit to, or have on file with, the Secretary a 3-year
8 State plan.

9 “(2) STATE UNIFIED PLAN.—The eligible agency
10 may submit the State plan as part of a State unified
11 plan described in section 501.

12 “(b) PLAN CONTENTS.—The eligible agency shall in-
13 clude in the State plan or any revisions to the State plan—

14 “(1) an objective assessment of the needs of indi-
15 viduals in the State or outlying area for adult edu-
16 cation and family literacy education programs, in-
17 cluding individuals most in need or hardest to serve;

18 “(2) a description of the adult education and
19 family literacy education programs that will be car-
20 ried out with funds received under this title;

21 “(3) an assurance that the funds received under
22 this title will not be expended for any purpose other
23 than for activities under this title;

24 “(4) a description of how the eligible agency will
25 annually evaluate and measure the effectiveness and

1 *improvement of the adult education and family lit-*
2 *eracy education programs funded under this title*
3 *using the indicators of performance described in sec-*
4 *tion 136, including how the eligible agency will con-*
5 *duct such annual evaluations and measures for each*
6 *grant received under this title;*

7 “(5) *a description of how the eligible agency will*
8 *fund local activities in accordance with the measur-*
9 *able goals described in section 231(d);*

10 “(6) *an assurance that the eligible agency will*
11 *expend the funds under this title only in a manner*
12 *consistent with fiscal requirements in section 241;*

13 “(7) *a description of the process that will be used*
14 *for public participation and comment with respect to*
15 *the State plan, which—*

16 “(A) *shall include consultation with the*
17 *State workforce investment board, the State*
18 *board responsible for administering community*
19 *or technical colleges, the Governor, the State edu-*
20 *cational agency, the State board or agency re-*
21 *sponsible for administering block grants for tem-*
22 *porary assistance to needy families under title*
23 *IV of the Social Security Act, the State council*
24 *on disabilities, the State vocational rehabilita-*
25 *tion agency, and other State agencies that pro-*

1 *mote the improvement of adult education and*
2 *family literacy education programs, and direct*
3 *providers of such programs; and*

4 *“(B) may include consultation with the*
5 *State agency on higher education, institutions*
6 *responsible for professional development of adult*
7 *education and family literacy education pro-*
8 *grams instructors, representatives of business*
9 *and industry, refugee assistance programs, and*
10 *faith-based organizations;*

11 *“(8) a description of the eligible agency’s strate-*
12 *gies for serving populations that include, at a min-*
13 *imum—*

14 *“(A) low-income individuals;*

15 *“(B) individuals with disabilities;*

16 *“(C) the unemployed;*

17 *“(D) the underemployed; and*

18 *“(E) individuals with multiple barriers to*
19 *educational enhancement, including English*
20 *learners;*

21 *“(9) a description of how the adult education*
22 *and family literacy education programs that will be*
23 *carried out with any funds received under this title*
24 *will be integrated with other adult education, career*
25 *development, and employment and training activities*

1 *in the State or outlying area served by the eligible*
2 *agency;*

3 “(10) *a description of the steps the eligible agen-*
4 *cy will take to ensure direct and equitable access, as*
5 *required in section 231(c)(1), including—*

6 “(A) *how the State will build the capacity*
7 *of community-based and faith-based organiza-*
8 *tions to provide adult education and family lit-*
9 *eracy education programs; and*

10 “(B) *how the State will increase the partici-*
11 *pation of business and industry in adult edu-*
12 *cation and family literacy education programs;*

13 “(11) *an assessment of the adequacy of the sys-*
14 *tem of the State or outlying area to ensure teacher*
15 *quality and a description of how the State or out-*
16 *lying area will use funds received under this subtitle*
17 *to improve teacher quality, including evidence-based*
18 *professional development to improve instruction; and*

19 “(12) *a description of how the eligible agency*
20 *will consult with any State agency responsible for*
21 *postsecondary education to develop adult education*
22 *that prepares students to enter postsecondary edu-*
23 *cation without the need for remediation upon comple-*
24 *tion of secondary school equivalency programs.*

1 “(c) *PLAN REVISIONS.*—When changes in conditions
2 or other factors require substantial revisions to an approved
3 State plan, the eligible agency shall submit the revisions
4 of the State plan to the Secretary.

5 “(d) *CONSULTATION.*—The eligible agency shall—

6 “(1) submit the State plan, and any revisions to
7 the State plan, to the Governor, the chief State school
8 officer, or the State officer responsible for admin-
9 istering community or technical colleges, or outlying
10 area for review and comment; and

11 “(2) ensure that any comments regarding the
12 State plan by the Governor, the chief State school offi-
13 cer, or the State officer responsible for administering
14 community or technical colleges, and any revision to
15 the State plan, are submitted to the Secretary.

16 “(e) *PLAN APPROVAL.*—The Secretary shall—

17 “(1) approve a State plan within 90 days after
18 receiving the plan unless the Secretary makes a writ-
19 ten determination within 30 days after receiving the
20 plan that the plan does not meet the requirements of
21 this section or is inconsistent with specific provisions
22 of this subtitle; and

23 “(2) not finally disapprove of a State plan before
24 offering the eligible agency the opportunity, prior to
25 the expiration of the 30-day period beginning on the

1 *date on which the eligible agency received the written*
2 *determination described in paragraph (3), to review*
3 *the plan and providing technical assistance in order*
4 *to assist the eligible agency in meeting the require-*
5 *ments of this subtitle.*

6 **“SEC. 225. PROGRAMS FOR CORRECTIONS EDUCATION AND**
7 **OTHER INSTITUTIONALIZED INDIVIDUALS.**

8 “(a) *PROGRAM AUTHORIZED.*—*From funds made*
9 *available under section 222(a)(1) for a fiscal year, each eli-*
10 *gible agency shall carry out corrections education and edu-*
11 *cation for other institutionalized individuals.*

12 “(b) *USES OF FUNDS.*—*The funds described in sub-*
13 *section (a) shall be used for the cost of educational programs*
14 *for criminal offenders in correctional institutions and for*
15 *other institutionalized individuals, including academic*
16 *programs for—*

17 “(1) *basic skills education;*

18 “(2) *special education programs as determined*
19 *by the eligible agency;*

20 “(3) *reading, writing, speaking, and math pro-*
21 *grams;*

22 “(4) *secondary school credit or diploma pro-*
23 *grams or their recognized equivalent; and*

24 “(5) *integrated education and training.*

1 “(c) *PRIORITY.*—*Each eligible agency that is using as-*
2 *sistance provided under this section to carry out a program*
3 *for criminal offenders within a correctional institution*
4 *shall give priority to serving individuals who are likely to*
5 *leave the correctional institution within 5 years of partici-*
6 *pation in the program.*

7 “(d) *DEFINITIONS.*—*For purposes of this section:*

8 “(1) *CORRECTIONAL INSTITUTION.*—*The term*
9 *‘correctional institution’ means any—*

10 “(A) *prison;*

11 “(B) *jail;*

12 “(C) *reformatory;*

13 “(D) *work farm;*

14 “(E) *detention center; or*

15 “(F) *halfway house, community-based reha-*
16 *ilitation center, or any other similar institution*
17 *designed for the confinement or rehabilitation of*
18 *criminal offenders.*

19 “(2) *CRIMINAL OFFENDER.*—*The term ‘criminal*
20 *offender’ means any individual who is charged with,*
21 *or convicted of, any criminal offense.*

1 **“Subtitle C—Local Provisions**

2 **“SEC. 231. GRANTS AND CONTRACTS FOR ELIGIBLE PRO-**
3 **VIDERS.**

4 “(a) *GRANTS AND CONTRACTS.*—*From grant funds*
5 *made available under section 222(a)(1), each eligible agency*
6 *shall award multi-year grants or contracts, on a competi-*
7 *tive basis, to eligible providers within the State or outlying*
8 *area that meet the conditions and requirements of this title*
9 *to enable the eligible providers to develop, implement, and*
10 *improve adult education and family literacy education pro-*
11 *grams within the State.*

12 “(b) *LOCAL ACTIVITIES.*—*The eligible agency shall re-*
13 *quire eligible providers receiving a grant or contract under*
14 *subsection (a) to establish or operate—*

15 “(1) *programs that provide adult education and*
16 *literacy activities;*

17 “(2) *programs that provide integrated employ-*
18 *ment and training activities; or*

19 “(3) *credit-bearing postsecondary coursework.*

20 “(c) *DIRECT AND EQUITABLE ACCESS; SAME PROC-*
21 *ESS.*—*Each eligible agency receiving funds under this title*
22 *shall ensure that—*

23 “(1) *all eligible providers have direct and equi-*
24 *table access to apply for grants or contracts under*
25 *this section; and*

1 “(2) *the same grant or contract announcement*
2 *process and application process is used for all eligible*
3 *providers in the State or outlying area.*

4 “(d) *MEASURABLE GOALS.—The eligible agency shall*
5 *require eligible providers receiving a grant or contract*
6 *under subsection (a) to demonstrate—*

7 “(1) *the eligible provider’s measurable goals for*
8 *participant outcomes to be achieved annually on the*
9 *core indicators of performance described in section*
10 *136(b)(2)(A);*

11 “(2) *the past effectiveness of the eligible provider*
12 *in improving the basic academic skills of adults and,*
13 *for eligible providers receiving grants in the prior*
14 *year, the success of the eligible provider receiving*
15 *funding under this title in exceeding its performance*
16 *goals in the prior year;*

17 “(3) *the commitment of the eligible provider to*
18 *serve individuals in the community who are the most*
19 *in need of basic academic skills instruction services,*
20 *including individuals with disabilities and individ-*
21 *uals who are low-income or have minimal reading,*
22 *writing, speaking, and math skills, or are English*
23 *learners;*

1 “(4) the program is of sufficient intensity and
2 quality for participants to achieve substantial learn-
3 ing gains;

4 “(5) educational practices are evidence-based;

5 “(6) the activities of the eligible provider effec-
6 tively employ advances in technology, and delivery
7 systems including distance education;

8 “(7) the activities provide instruction in real-life
9 contexts, including integrated education and training
10 when appropriate, to ensure that an individual has
11 the skills needed to compete in the workplace and ex-
12 ercise the rights and responsibilities of citizenship;

13 “(8) the activities are staffed by well-trained in-
14 structors, counselors, and administrators who meet
15 minimum qualifications established by the State;

16 “(9) the activities are coordinated with other
17 available resources in the community, such as through
18 strong links with elementary schools and secondary
19 schools, postsecondary educational institutions, local
20 workforce investment boards, one-stop centers, job
21 training programs, community-based and faith-based
22 organizations, and social service agencies;

23 “(10) the activities offer flexible schedules and
24 support services (such as child care and transpor-
25 tation) that are necessary to enable individuals, in-

1 *cluding individuals with disabilities or other special*
2 *needs, to attend and complete programs;*

3 *“(11) the activities include a high-quality infor-*
4 *mation management system that has the capacity to*
5 *report measurable participant outcomes (consistent*
6 *with section 136) and to monitor program perform-*
7 *ance;*

8 *“(12) the local communities have a demonstrated*
9 *need for additional English language acquisition pro-*
10 *grams, and integrated education and training pro-*
11 *grams;*

12 *“(13) the capacity of the eligible provider to*
13 *produce valid information on performance results, in-*
14 *cluding enrollments and measurable participant out-*
15 *comes;*

16 *“(14) adult education and family literacy edu-*
17 *cation programs offer rigorous reading, writing,*
18 *speaking, and math content that are evidence based;*
19 *and*

20 *“(15) applications of technology, and services to*
21 *be provided by the eligible providers, are of sufficient*
22 *intensity and duration to increase the amount and*
23 *quality of learning and lead to measurable learning*
24 *gains within specified time periods.*

1 “(e) *SPECIAL RULE.*—*Eligible providers may use*
2 *grant funds under this title to serve children participating*
3 *in family literacy programs assisted under this part, pro-*
4 *vided that other sources of funds available to provide simi-*
5 *lar services for such children are used first.*

6 **“SEC. 232. LOCAL APPLICATION.**

7 *“Each eligible provider desiring a grant or contract*
8 *under this title shall submit an application to the eligible*
9 *agency containing such information and assurances as the*
10 *eligible agency may require, including—*

11 *“(1) a description of how funds awarded under*
12 *this title will be spent consistent with the require-*
13 *ments of this title;*

14 *“(2) a description of any cooperative arrange-*
15 *ments the eligible provider has with other agencies,*
16 *institutions, or organizations for the delivery of adult*
17 *education and family literacy education programs;*
18 *and*

19 *“(3) each of the demonstrations required by sec-*
20 *tion 231(d).*

21 **“SEC. 233. LOCAL ADMINISTRATIVE COST LIMITS.**

22 *“(a) IN GENERAL.*—*Subject to subsection (b), of the*
23 *amount that is made available under this title to an eligible*
24 *provider—*

1 “(1) at least 95 percent shall be expended for
2 *carrying out adult education and family literacy edu-*
3 *cation programs; and*

4 “(2) the remaining amount shall be used for
5 *planning, administration, personnel and professional*
6 *development, development of measurable goals in*
7 *reading, writing, speaking, and math, and inter-*
8 *agency coordination.*

9 “(b) *SPECIAL RULE.—In cases where the cost limits*
10 *described in subsection (a) are too restrictive to allow for*
11 *adequate planning, administration, personnel development,*
12 *and interagency coordination, the eligible provider may ne-*
13 *gotiate with the eligible agency in order to determine an*
14 *adequate level of funds to be used for noninstructional pur-*
15 *poses.*

16 **“Subtitle D—General Provisions**

17 **“SEC. 241. ADMINISTRATIVE PROVISIONS.**

18 *“Funds made available for adult education and family*
19 *literacy education programs under this title shall supple-*
20 *ment and not supplant other State or local public funds*
21 *expended for adult education and family literacy education*
22 *programs.*

23 **“SEC. 242. NATIONAL ACTIVITIES.**

24 *“The Secretary shall establish and carry out a pro-*
25 *gram of national activities that may include the following:*

1 “(1) *Providing technical assistance to eligible en-*
2 *tities, on request, to—*

3 “(A) *improve their fiscal management, re-*
4 *search-based instruction, and reporting require-*
5 *ments to carry out the requirements of this title;*

6 “(B) *improve its performance on the core*
7 *indicators of performance described in section*
8 *136;*

9 “(C) *provide adult education professional*
10 *development; and*

11 “(D) *use distance education and improve*
12 *the application of technology in the classroom,*
13 *including instruction in English language acqui-*
14 *sition for English learners.*

15 “(2) *Providing for the conduct of research on na-*
16 *tional literacy basic skill acquisition levels among*
17 *adults, including the number of adult English learn-*
18 *ers functioning at different levels of reading pro-*
19 *ficiency.*

20 “(3) *Improving the coordination, efficiency, and*
21 *effectiveness of adult education and workforce develop-*
22 *ment services at the national, State, and local levels.*

23 “(4) *Determining how participation in adult*
24 *education, English language acquisition, and family*
25 *literacy education programs prepares individuals for*

1 *entry into and success in postsecondary education*
2 *and employment, and in the case of prison-based serv-*
3 *ices, the effect on recidivism.*

4 “(5) *Evaluating how different types of providers,*
5 *including community and faith-based organizations*
6 *or private for-profit agencies measurably improve the*
7 *skills of participants in adult education, English lan-*
8 *guage acquisition, and family literacy education pro-*
9 *grams.*

10 “(6) *Identifying model integrated basic and*
11 *workplace skills education programs, including pro-*
12 *grams for English learners coordinated literacy and*
13 *employment services, and effective strategies for serv-*
14 *ing adults with disabilities.*

15 “(7) *Initiating other activities designed to im-*
16 *prove the measurable quality and effectiveness of*
17 *adult education, English language acquisition, and*
18 *family literacy education programs nationwide.”.*

19 **TITLE III—AMENDMENTS TO THE**
20 **WAGNER-PEYSER ACT**

21 **SEC. 301. AMENDMENTS TO THE WAGNER-PEYSER ACT.**

22 *The Wagner-Peyser Act (29 U.S.C. 49 et seq.) is*
23 *amended by amending section 15 to read as follows:*

1 **“SEC. 15. WORKFORCE AND LABOR MARKET INFORMATION**
2 **SYSTEM.**

3 “(a) *SYSTEM CONTENT.*—

4 “(1) *IN GENERAL.*—*The Secretary of Labor, in*
5 *accordance with the provisions of this section, shall*
6 *oversee the development, maintenance, and continuous*
7 *improvement of a nationwide workforce and labor*
8 *market information system that includes—*

9 “(A) *statistical data from cooperative sta-*
10 *tistical survey and projection programs and data*
11 *from administrative reporting systems that,*
12 *taken together, enumerate, estimate, and project*
13 *employment opportunities and conditions at na-*
14 *tional, State, and local levels in a timely man-*
15 *ner, including statistics on—*

16 “(i) *employment and unemployment*
17 *status of national, State, and local popu-*
18 *lations, including self-employed, part-time,*
19 *and seasonal workers;*

20 “(ii) *industrial distribution of occupa-*
21 *tions, as well as current and projected em-*
22 *ployment opportunities, wages, benefits*
23 *(where data is available), and skill trends*
24 *by occupation and industry, with par-*
25 *ticular attention paid to State and local*
26 *conditions;*

1 “(iii) the incidence of, industrial and
2 geographical location of, and number of
3 workers displaced by, permanent layoffs
4 and plant closings; and

5 “(iv) employment and earnings infor-
6 mation maintained in a longitudinal man-
7 ner to be used for research and program
8 evaluation;

9 “(B) information on State and local em-
10 ployment opportunities, and other appropriate
11 statistical data related to labor market dynam-
12 ics, which—

13 “(i) shall be current and comprehen-
14 sive;

15 “(ii) shall meet the needs identified
16 through the consultations described in sub-
17 paragraphs (A) and (B) of subsection (e)(2);
18 and

19 “(iii) shall meet the needs for the infor-
20 mation identified in section 121;

21 “(C) technical standards (which the Sec-
22 retary shall publish annually) for data and in-
23 formation described in subparagraphs (A) and
24 (B) that, at a minimum, meet the criteria of
25 chapter 35 of title 44, United States Code;

1 “(D) procedures to ensure compatibility and
2 additivity of the data and information described
3 in subparagraphs (A) and (B) from national,
4 State, and local levels;

5 “(E) procedures to support standardization
6 and aggregation of data from administrative re-
7 porting systems described in subparagraph (A)
8 of employment-related programs;

9 “(F) analysis of data and information de-
10 scribed in subparagraphs (A) and (B) for uses
11 such as—

12 “(i) national, State, and local policy-
13 making;

14 “(ii) implementation of Federal poli-
15 cies (including allocation formulas);

16 “(iii) program planning and evalua-
17 tion; and

18 “(iv) researching labor market dynam-
19 ics;

20 “(G) wide dissemination of such data, in-
21 formation, and analysis in a user-friendly man-
22 ner and voluntary technical standards for dis-
23 semination mechanisms; and

24 “(H) programs of—

1 “(i) training for effective data dissemi-
2 nation;

3 “(ii) research and demonstration; and

4 “(iii) programs and technical assist-
5 ance.

6 “(2) INFORMATION TO BE CONFIDENTIAL.—

7 “(A) IN GENERAL.—No officer or employee
8 of the Federal Government or agent of the Fed-
9 eral Government may—

10 “(i) use any submission that is fur-
11 nished for exclusively statistical purposes
12 under the provisions of this section for any
13 purpose other than the statistical purposes
14 for which the submission is furnished;

15 “(ii) disclose to the public any publica-
16 tion or media transmittal of the data con-
17 tained in the submission described in clause
18 (i) that permits information concerning an
19 individual subject to be reasonably inferred
20 by either direct or indirect means; or

21 “(iii) permit anyone other than a
22 sworn officer, employee, or agent of any
23 Federal department or agency, or a con-
24 tractor (including an employee of a con-
25 tractor) of such department or agency, to

1 *examine an individual submission described*
2 *in clause (i),*
3 *without the consent of the individual, agency, or*
4 *other person who is the subject of the submission*
5 *or provides that submission.*

6 “(B) *IMMUNITY FROM LEGAL PROCESS.—*
7 *Any submission (including any data derived*
8 *from the submission) that is collected and re-*
9 *tained by a Federal department or agency, or an*
10 *officer, employee, agent, or contractor of such a*
11 *department or agency, for exclusively statistical*
12 *purposes under this section shall be immune*
13 *from the legal process and shall not, without the*
14 *consent of the individual, agency, or other person*
15 *who is the subject of the submission or provides*
16 *that submission, be admitted as evidence or used*
17 *for any purpose in any action, suit, or other ju-*
18 *dicial or administrative proceeding.*

19 “(C) *RULE OF CONSTRUCTION.—Nothing in*
20 *this section shall be construed to provide immu-*
21 *nity from the legal process for such submission*
22 *(including any data derived from the submis-*
23 *sion) if the submission is in the possession of*
24 *any person, agency, or entity other than the Fed-*
25 *eral Government or an officer, employee, agent,*

1 *or contractor of the Federal Government, or if*
2 *the submission is independently collected, re-*
3 *tained, or produced for purposes other than the*
4 *purposes of this Act.*

5 “(b) *SYSTEM RESPONSIBILITIES.*—

6 “(1) *IN GENERAL.*—*The workforce and labor*
7 *market information system described in subsection (a)*
8 *shall be planned, administered, overseen, and evalu-*
9 *ated through a cooperative governance structure in-*
10 *volving the Federal Government and States.*

11 “(2) *DUTIES.*—*The Secretary, with respect to*
12 *data collection, analysis, and dissemination of work-*
13 *force and labor market information for the system,*
14 *shall carry out the following duties:*

15 “(A) *Assign responsibilities within the De-*
16 *partment of Labor for elements of the workforce*
17 *and labor market information system described*
18 *in subsection (a) to ensure that all statistical*
19 *and administrative data collected is consistent*
20 *with appropriate Bureau of Labor Statistics*
21 *standards and definitions.*

22 “(B) *Actively seek the cooperation of other*
23 *Federal agencies to establish and maintain*
24 *mechanisms for ensuring complementarity and*
25 *nonduplication in the development and oper-*

1 *ation of statistical and administrative data col-*
2 *lection activities.*

3 “(C) *Eliminate gaps and duplication in*
4 *statistical undertakings, with the systemization*
5 *of wage surveys as an early priority.*

6 “(D) *In collaboration with the Bureau of*
7 *Labor Statistics and States, develop and main-*
8 *tain the elements of the workforce and labor mar-*
9 *ket information system described in subsection*
10 *(a), including the development of consistent pro-*
11 *cedures and definitions for use by the States in*
12 *collecting the data and information described in*
13 *subparagraphs (A) and (B) of subsection (a)(1).*

14 “(E) *Establish procedures for the system to*
15 *ensure that—*

16 “(i) *such data and information are*
17 *timely;*

18 “(ii) *paperwork and reporting for the*
19 *system are reduced to a minimum; and*

20 “(iii) *States and localities are fully in-*
21 *olved in the development and continuous*
22 *improvement of the system at all levels.*

23 “(c) *NATIONAL ELECTRONIC TOOLS TO PROVIDE*
24 *SERVICES.—The Secretary is authorized to assist in the de-*
25 *velopment of national electronic tools that may be used to*

1 *facilitate the delivery of work ready services described in*
2 *section 134(c)(2) and to provide workforce information to*
3 *individuals through the one-stop delivery systems described*
4 *in section 121 and through other appropriate delivery sys-*
5 *tems.*

6 “(d) *COORDINATION WITH THE STATES.*—

7 “(1) *IN GENERAL.*—*The Secretary, working*
8 *through the Bureau of Labor Statistics and the Em-*
9 *ployment and Training Administration, shall regu-*
10 *larly consult with representatives of State agencies*
11 *carrying out workforce information activities regard-*
12 *ing strategies for improving the workforce and labor*
13 *market information system.*

14 “(2) *FORMAL CONSULTATIONS.*—*At least twice*
15 *each year, the Secretary, working through the Bureau*
16 *of Labor Statistics, shall conduct formal consultations*
17 *regarding programs carried out by the Bureau of*
18 *Labor Statistics with representatives of each of the*
19 *Federal regions of the Bureau of Labor Statistics,*
20 *elected (pursuant to a process established by the Sec-*
21 *retary) from the State directors affiliated with State*
22 *agencies that perform the duties described in sub-*
23 *section (e)(2).*

24 “(e) *STATE RESPONSIBILITIES.*—

1 “(1) *IN GENERAL.*—*In order to receive Federal*
2 *financial assistance under this section, the Governor*
3 *of a State shall—*

4 “(A) *be responsible for the management of*
5 *the portions of the workforce and labor market*
6 *information system described in subsection (a)*
7 *that comprise a statewide workforce and labor*
8 *market information system and for the State’s*
9 *participation in the development of the annual*
10 *plan;*

11 “(B) *establish a process for the oversight of*
12 *such system;*

13 “(C) *consult with State and local employ-*
14 *ers, participants, and local workforce investment*
15 *boards about the labor market relevance of the*
16 *data to be collected and disseminated through the*
17 *statewide workforce and labor market informa-*
18 *tion system;*

19 “(D) *consult with State educational agen-*
20 *cies and local educational agencies concerning*
21 *the provision of employment statistics in order to*
22 *meet the needs of secondary school and postsec-*
23 *ondary school students who seek such informa-*
24 *tion;*

1 “(E) collect and disseminate for the system,
2 on behalf of the State and localities in the State,
3 the information and data described in subpara-
4 graphs (A) and (B) of subsection (a)(1);

5 “(F) maintain and continuously improve
6 the statewide workforce and labor market infor-
7 mation system in accordance with this section;

8 “(G) perform contract and grant respon-
9 sibilities for data collection, analysis, and dis-
10 semination for such system;

11 “(H) conduct such other data collection,
12 analysis, and dissemination activities as will en-
13 sure an effective statewide workforce and labor
14 market information system;

15 “(I) actively seek the participation of other
16 State and local agencies in data collection, anal-
17 ysis, and dissemination activities in order to en-
18 sure complementarity, compatibility, and useful-
19 ness of data;

20 “(J) participate in the development of the
21 annual plan described in subsection (c); and

22 “(K) utilize the quarterly records described
23 in section 136(f)(2) to assist the State and other
24 States in measuring State progress on State per-
25 formance measures.

1 “(2) *RULE OF CONSTRUCTION.*—*Nothing in this*
 2 *section shall be construed as limiting the ability of a*
 3 *Governor to conduct additional data collection, anal-*
 4 *ysis, and dissemination activities with State funds or*
 5 *with Federal funds from sources other than this sec-*
 6 *tion.*

7 “(f) *NONDUPLICATION REQUIREMENT.*—*None of the*
 8 *functions and activities carried out pursuant to this section*
 9 *shall duplicate the functions and activities carried out*
 10 *under the Carl D. Perkins Career and Technical Education*
 11 *Act of 2006 (20 U.S.C. 2301 et seq.).*

12 “(g) *AUTHORIZATION OF APPROPRIATIONS.*—*There*
 13 *are authorized to be appropriated to carry out this section*
 14 *\$63,473,000 for fiscal year 2014 and each of the 6 suc-*
 15 *ceeding fiscal years.*

16 “(h) *DEFINITION.*—*In this section, the term ‘local*
 17 *area’ means the smallest geographical area for which data*
 18 *can be produced with statistical reliability.’.*

19 **TITLE IV—REPEALS AND** 20 **CONFORMING AMENDMENTS**

21 **SEC. 401. REPEALS.**

22 *The following provisions are repealed:*

23 (1) *Chapter 4 of subtitle B of title I, and sections*
 24 *123, 155, 166, 167, 168, 169, 171, 173, 173A, 174,*

1 192, 194, 502, 503, and 506 of the Workforce Invest-
2 ment Act of 1998.

3 (2) Title V of the Older Americans Act of 1965
4 (42 U.S.C. 3056 et seq.).

5 (3) Sections 1 through 14 of the Wagner-Peyser
6 Act (29 U.S.C. 49 et seq.).

7 (4) Twenty-First Century Workforce Commission
8 Act (29 U.S.C. 2701 note).

9 (5) Youth Conservation Corps Act of 1970 (16
10 U.S.C. 1701 et seq.).

11 (6) Section 821 of the Higher Education Amend-
12 ments of 1998 (20 U.S.C. 1151) (Grants to States for
13 workplace and community transition training for in-
14 carcerated individuals).

15 (7) The Women in Apprenticeship and Nontradi-
16 tional Occupations Act (29 U.S.C. 2501 et seq.).

17 (8) Sections 4103A and 4104 of title 38, United
18 States Code.

19 **SEC. 402. AMENDMENT TO THE COMPREHENSIVE ENVIRON-**
20 **MENTAL RESPONSE, COMPENSATION, AND LI-**
21 **ABILITY ACT OF 1980.**

22 Section 104(k)(6) of the Comprehensive Environ-
23 mental Response, Compensation, and Liability Act of 1980
24 (42 U.S.C. 9604) is amended by striking “, training,”.

1 **SEC. 403. AMENDMENTS TO THE FOOD AND NUTRITION ACT**
2 **OF 2008.**

3 (a) *DEFINITION.*—Section 3(t) of the Food and Nutri-
4 tion Act of 2008 (7 U.S.C. 2012(t)) is amended—

5 (1) by striking “and (2)” and inserting “(2)”,
6 and

7 (2) by inserting before the period at the end the
8 following:

9 “, and (3) when referencing employment and training ac-
10 tivities under section 6(d)(4), a State board as defined in
11 section 101 of the Workforce Investment Act of 1998 (29
12 U.S.C. 2801)”.

13 (b) *ELIGIBLE HOUSEHOLDS.*—Section 5 of the Food
14 and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

15 (1) in subsection (d)(14) by striking “section
16 6(d)(4)(I)” and inserting “section 6(d)(4)(C)”, and

17 (2) in subsection (g)(3) by striking “constitutes
18 adequate participation in an employment and train-
19 ing program under section 6(d)” and inserting “al-
20 lows the individual to participate in employment and
21 training activities under section 6(d)(4)”.

22 (c) *ELIGIBILITY DISQUALIFICATIONS.*—Section 6(d)(4)
23 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)(4))
24 is amended to read as follows:

25 “(4) *EMPLOYMENT AND TRAINING.*—

1 “(A) *IMPLEMENTATION.*—*Each State agen-*
2 *cy shall provide employment and training serv-*
3 *ices authorized under section 134 of the Work-*
4 *force Investment Act of 1998 (29 U.S.C. 2864) to*
5 *eligible members of households participating in*
6 *the supplemental nutrition assistance program*
7 *in gaining skills, training, work, or experience*
8 *that will increase their ability to obtain regular*
9 *employment.*

10 “(B) *STATEWIDE WORKFORCE DEVELOP-*
11 *MENT SYSTEM.*—*Consistent with subparagraph*
12 *(A), employment and training services shall be*
13 *provided through the statewide workforce devel-*
14 *opment system, including the One-Stop delivery*
15 *system, authorized by the Workforce Investment*
16 *Act of 1998 (29 U.S.C. 2801 et seq.).*

17 “(C) *REIMBURSEMENTS.*—

18 “(i) *ACTUAL COSTS.*—*The State agency*
19 *shall provide payments or reimbursement to*
20 *participants served under this paragraph*
21 *for—*

22 “(I) *the actual costs of transpor-*
23 *tation and other actual costs (other*
24 *than dependent care costs) that are*
25 *reasonably necessary and directly re-*

1 *lated to the individual participating*
2 *in employment and training activities;*
3 *and*

4 *“(II) the actual costs of such de-*
5 *pendent care expenses that are deter-*
6 *mined by the State agency to be nec-*
7 *essary for the individual to participate*
8 *in employment and training activities*
9 *(other than an individual who is the*
10 *caretaker relative of a dependent in a*
11 *family receiving benefits under part A*
12 *of title IV of the Social Security Act*
13 *(42 U.S.C. 601 et seq.) in a local area*
14 *where an employment, training, or*
15 *education program under title IV of*
16 *such Act is in operation), except that*
17 *no such payment or reimbursement*
18 *shall exceed the applicable local market*
19 *rate.*

20 *“(ii) SERVICE CONTRACTS AND VOUCH-*
21 *ERS.—In lieu of providing reimbursements*
22 *or payments for dependent care expenses*
23 *under clause (i), a State agency may, at its*
24 *option, arrange for dependent care through*
25 *providers by the use of purchase of service*

1 *contracts or vouchers or by providing*
2 *vouchers to the household.*

3 “(iii) *VALUE OF REIMBURSEMENTS.—*
4 *The value of any dependent care services*
5 *provided for or arranged under clause (ii),*
6 *or any amount received as a payment or re-*
7 *imbursement under clause (i), shall—*

8 *“(I) not be treated as income for*
9 *the purposes of any other Federal or*
10 *federally assisted program that bases*
11 *eligibility for, or the amount of benefits*
12 *on, need; and*

13 *“(II) not be claimed as an em-*
14 *ployment-related expense for the pur-*
15 *poses of the credit provided under sec-*
16 *tion 21 of the Internal Revenue Code of*
17 *1986 (26 U.S.C. 21).”.*

18 *(d) ADMINISTRATION.—Section 11(e)(19) of the Food*
19 *and Nutrition Act of 2008 (7 U.S.C. 2020(e)(11) is amend-*
20 *ed to read as follows:*

21 *“(19) the plans of the State agency for providing*
22 *employment and training services under section*
23 *6(d)(4);”.*

1 (e) *ADMINISTRATIVE COST-SHARING AND QUALITY*
2 *CONTROL.*—Section 16(h) of the Food and Nutrition Act
3 of 2008 (7 U.S.C. 2025) is amended—

4 (1) in paragraph (1)—

5 (A) in subparagraph (A) by striking “carry
6 out employment and training programs” and in-
7 serting “provide employment and training serv-
8 ices to eligible households under section 6(d)(4)”,
9 and

10 (B) in subparagraph (D) by striking “oper-
11 ating an employment and training program”
12 and inserting “providing employment and train-
13 ing services consistent with section 6(d)(4)”,

14 (2) in paragraph (3) by striking “related to par-
15 ticipation in an employment and training program”
16 and inserting “the individual participating in em-
17 ployment and training activities”,

18 (3) in paragraph (4) by striking “for operating
19 an employment and training program” and inserting
20 “to provide employment and training services”, and

21 (4) by amending paragraph (5) to read as fol-
22 lows:

23 “(5) *MONITORING.*—The Secretary, in conjunc-
24 tion with the Secretary of Labor, shall monitor each
25 State agency responsible for administering employ-

1 *ment and training services under section 6(d)(4) to*
2 *ensure funds are being spent effectively and effi-*
3 *ciently. Each program of employment and training*
4 *receiving funds under section 6(d)(4) shall be subject*
5 *to the requirements of the performance accountability*
6 *system, including having to meet the state perform-*
7 *ance measures included in section 136 of the Work-*
8 *force Investment Act (29 U.S.C. 2871).”.*

9 *(f) RESEARCH, DEMONSTRATION, AND EVALUA-*
10 *TIONS.—Section 17 of the Food and Nutrition Act of 2008*
11 *(7 U.S.C. 2026) is amended—*

12 *(1) in subsection (b) by striking paragraph (3),*
13 *and*

14 *(2) in subsection (g)—*

15 *(A) by inserting “, in conjunction with the*
16 *Secretary of Labor,” after “Secretary”, and*

17 *(B) by striking “programs established” and*
18 *inserting “activities provided to eligible house-*
19 *holds”.*

20 *(g) MINNESOTA FAMILY INVESTMENT PROJECT.—Sec-*
21 *tion 22(b)(4) of the Food and Nutrition Act of 2008 (7*
22 *U.S.C. 2031(b)(4)) is amended by striking “equivalent to*
23 *those offered under the employment and training program”.*

1 **SEC. 404. AMENDMENTS TO SECTION 412 OF THE IMMIGRA-**
2 **TION AND NATIONALITY ACT.**

3 (a) *CONDITIONS AND CONSIDERATIONS.*—Section
4 412(a) of the Immigration and Nationality Act (8 U.S.C.
5 1522(a)) is amended—

6 (1) in paragraph (1)—

7 (A) in subparagraph (A)(i), by striking
8 “make available sufficient resources for employ-
9 ment training and placement” and inserting
10 “provide refugees with the opportunity to access
11 employment and training services, including job
12 placement,”; and

13 (B) in subparagraph (B)(ii), by striking
14 “services;” and inserting “services provided
15 through the Workforce Investment Act of 1998
16 (29 U.S.C. 2801 et seq.);”;

17 (2) in paragraph (2)(C)(iii)(II), by inserting
18 “and training” after “employment”;

19 (3) in paragraph (6)(A)(ii)—

20 (A) by striking “insure” and inserting “en-
21 sure”;

22 (B) by inserting “and training” after “em-
23 ployment”; and

24 (C) by inserting after “available” the fol-
25 lowing: “through the one-stop delivery system

1 *under section 121 of the Workforce Investment*
2 *Act of 1998 (29 U.S.C. 2841)”; and*

3 (4) *in paragraph (9), by inserting “the Sec-*
4 *retary of Labor,” after “Education,”.*

5 (b) *PROGRAM OF INITIAL RESETTLEMENT.—Section*
6 *412(b)(2) of such Act (8 U.S.C. 1522(b)(2)) is amended—*

7 (1) *by striking “orientation, instruction” and*
8 *inserting “orientation and instruction”; and*

9 (2) *by striking “, and job training for refugees,*
10 *and such other education and training of refugees, as*
11 *facilitates” and inserting “for refugees to facilitate”.*

12 (c) *PROJECT GRANTS AND CONTRACTS FOR SERVICES*
13 *FOR REFUGEES.—Section 412(c) of such Act (8 U.S.C.*
14 *1522(c)) is amended—*

15 (1) *in paragraph (1)—*

16 (A) *in subparagraph (A)(i), by inserting*
17 *“and training” after “employment”; and*

18 (B) *by striking subparagraph (C);*

19 (2) *in paragraph (2)(B), by striking “para-*
20 *graph—” through “in a manner” and inserting*
21 *“paragraph in a manner”; and*

22 (3) *by adding at the end the following:*

23 “(3) *In carrying out this section, the Director shall*
24 *ensure that employment and training services are provided*
25 *through the statewide workforce development system, as ap-*

1 *appropriate, authorized by the Workforce Investment Act of*
 2 *1998 (29 U.S.C. 2801 et seq.). Such action may include—*

3 *“(A) making employment and training services*
 4 *as described under section 134 of such Act (29 U.S.C.*
 5 *2864) available to refugees; and*

6 *“(B) providing refugees with access to a one-stop*
 7 *delivery system under section 121 of such Act (29*
 8 *U.S.C. 2841).”.*

9 *(d) CASH ASSISTANCE AND MEDICAL ASSISTANCE TO*
 10 *REFUGEES.—Section 412(e) of such Act (8 U.S.C. 1522(e))*
 11 *is amended—*

12 *(1) in paragraph (2)(A)(i), by inserting “and*
 13 *training” after “providing employment”; and*

14 *(2) in paragraph (3), by striking “The” and in-*
 15 *serting “Consistent with subsection (c)(3), the”.*

16 **SEC. 405. AMENDMENTS RELATING TO THE SECOND**
 17 **CHANCE ACT OF 2007.**

18 *(a) FEDERAL PRISONER REENTRY INITIATIVE.—Sec-*
 19 *tion 231 of the Second Chance Act of 2007 (42 U.S.C.*
 20 *17541) is amended—*

21 *(1) in subsection (a)(1)(E)—*

22 *(A) by inserting “the Department of Labor*
 23 *and” before “other Federal agencies”; and*

1 (B) by inserting “State and local workforce
2 investment boards,” after “community-based or-
3 ganizations,”;

4 (2) in subsection (c)—

5 (A) in paragraph (2), by striking at the end
6 “and”;

7 (B) in paragraph (3), by striking at the end
8 the period and inserting “; and”; and

9 (C) by adding at the end the following new
10 paragraph:

11 “(4) to coordinate reentry programs with the em-
12 ployment and training services provided through the
13 statewide workforce investment system under subtitle
14 B of title I of the Workforce Investment Act of 1998
15 (29 U.S.C. 2811 et seq.).”; and

16 (3) in subsection (d), by adding at the end the
17 following new paragraph:

18 “(6) *INTERACTION WITH THE WORKFORCE IN-*
19 *VESTMENT SYSTEM.*—

20 “(A) *IN GENERAL.*—*In carrying out this*
21 *section, the Director shall ensure that employ-*
22 *ment and training services, including such em-*
23 *ployment and services offered through reentry*
24 *programs, are provided, as appropriate, through*
25 *the statewide workforce investment system under*

1 *subtitle B of title I of the Workforce Investment*
2 *Act of 1998 (29 U.S.C. 2811 et seq.). Such action*
3 *may include—*

4 “(i) *making employment and training*
5 *services available to prisoners prior to and*
6 *immediately following the release of such*
7 *prisoners; or*

8 “(ii) *providing prisoners with access*
9 *by remote means to a one-stop delivery sys-*
10 *tem under section 121 of the Workforce In-*
11 *vestment Act of 1998 (29 U.S.C. 2841) in*
12 *the State in which the prison involved is lo-*
13 *cated.*

14 “(B) *SERVICE DEFINED.—In this para-*
15 *graph, the term ‘employment and training serv-*
16 *ices’ means those services described in section*
17 *134 of the Workforce Investment Act of 1998 (29*
18 *U.S.C. 2864) offered by the Bureau of Prisons,*
19 *including—*

20 “(i) *the skills assessment described in*
21 *subsection (a)(1)(A);*

22 “(ii) *the skills development plan de-*
23 *scribed in subsection (a)(1)(B); and*

1 “(iii) the enhancement, development,
2 and implementation of reentry and skills
3 development programs.”.

4 (b) *DUTIES OF THE BUREAU OF PRISONS.*—Section
5 4042(a)(5)(E) of title 18, United States Code, is amended—

6 (1) in clause (ii), by striking “Employment”
7 and inserting “Employment and training services (as
8 defined in paragraph (6) of section 231(d) of the Sec-
9 ond Chance Act of 2007), including basic skills at-
10 tainment, consistent with such paragraph”;

11 (2) by striking clause (iii); and

12 (3) by redesignating clauses (iv), (v), (vi), and
13 (vii) as clauses (iii), (iv), (v), and (vi), respectively.

14 **SEC. 406. AMENDMENTS TO THE OMNIBUS CRIME CONTROL**
15 **AND SAFE STREETS ACT OF 1968.**

16 Section 2976 of the Omnibus Crime Control and Safe
17 Streets Act of 1968 (42 U.S.C. 3797w) is amended—

18 (1) in subsection (b)—

19 (A) in paragraph (1), by striking “voca-
20 tional” and inserting “career and technical edu-
21 cation (as defined in section 3 of the Carl D.
22 Perkins Career and Technical Education Act of
23 2006 (20 U.S.C. 2302)) and training”;

1 (B) by redesignating each of paragraphs (4)
2 through (7) as paragraphs (5) through (8), re-
3 spectively; and

4 (C) by inserting after paragraph (3) the fol-
5 lowing new paragraph:

6 “(4) coordinating employment and training
7 services provided through the statewide workforce in-
8 vestment system under subtitle B of title I of the
9 Workforce Investment Act of 1998 (29 U.S.C. 2811 et
10 seq.), including a one-stop delivery system under sec-
11 tion 121 of such Act (29 U.S.C. 2841), for offenders
12 upon release from prison, jail, or a juvenile facility,
13 as appropriate;”;

14 (2) in subsection (d)(2), by inserting “, includ-
15 ing local workforce investment boards established
16 under section 117 of the Workforce Investment Act of
17 1998 (29 U.S.C. 2832),” after “nonprofit organiza-
18 tions”;

19 (3) in subsection (e)—

20 (A) in paragraph (3), by striking “victim
21 services, and employment services” and inserting
22 “and victim services”;

23 (B) by redesignating paragraphs (4) and
24 (5) as paragraphs (5) and (6), respectively; and

1 (C) by inserting after paragraph (3) the fol-
2 lowing new paragraph:

3 “(4) provides employment and training services
4 through the statewide workforce investment system
5 under subtitle B of title I of the Workforce Investment
6 Act of 1998 (29 U.S.C. 2811 et seq.), including a one-
7 stop delivery system under section 121 of such Act (29
8 U.S.C. 2841); and”;

9 (4) in subsection (k)—

10 (A) in paragraph (1)(A), by inserting “, in
11 accordance with paragraph (2)” after “under
12 this section”;

13 (B) by redesignating paragraphs (2) and
14 (3) as paragraphs (3) and (4), respectively; and

15 (C) by inserting after paragraph (1) the fol-
16 lowing new paragraph:

17 “(2) *EMPLOYMENT AND TRAINING.*—*The Attor-*
18 *ney General shall require each grantee under this sec-*
19 *tion to measure the core indicators of performance as*
20 *described in section 136(b)(2)(A) of the Workforce In-*
21 *vestment Act of 1998 (29 U.S.C. 2871(b)(2)(A)) with*
22 *respect to the program of such grantee funded with a*
23 *grant under this section.*”.

1 **SEC. 407. CONFORMING AMENDMENTS TO THE UNITED**
2 **STATES CODE.**

3 *Title 38, United States Code, is amended—*

4 *(1) by striking the item relating to section 4103A*
5 *and section 4104 in the table of sections at the begin-*
6 *ning of chapter 41 of such title;*

7 *(2) in section 4102A—*

8 *(A) in subsection (b)—*

9 *(i) by striking paragraphs (5), (6),*
10 *and (7);*

11 *(ii) by redesignating paragraph (8) as*
12 *paragraph (5);*

13 *(B) by striking subsections (c) and (h);*

14 *(C) by redesignating subsection (d), (e), (f),*
15 *and (g) as subsection (c), (d), (e), and (f);*

16 *(D) in subsection (e)(1) (as so redesign-*
17 *ated)—*

18 *(i) by striking “, including disabled*
19 *veterans’ outreach program specialists and*
20 *local veterans’ employment representatives*
21 *providing employment, training, and place-*
22 *ment services under this chapter in a*
23 *State”; and*

24 *(ii) by striking “for purposes of sub-*
25 *section (c)”.*

1 (3) in section 4109(a), by striking “disabled vet-
2 erans’ outreach program specialists and local vet-
3 erans’ employment representative” and inserting “vet-
4 eran employment specialists appointed under section
5 134(f) of the Workforce Investment Act of 1998”;

6 (4) in section 4109(d)(1), by striking “disabled
7 veterans’ outreach program specialists and local vet-
8 erans’ employment representatives” and inserting
9 “veteran employment specialists appointed under sec-
10 tion 134(f) of the Workforce Investment Act of 1998”;

11 (5) in section 4112(d)—

12 (A) in paragraph (1), by striking “disabled
13 veterans’ outreach program specialist” and in-
14 serting “veteran employment specialist ap-
15 pointed under section 134(f) of the Workforce In-
16 vestment Act of 1998”; and

17 (B) by striking paragraph (2) and redesignig-
18 nating paragraph (3) as paragraph (2);

19 (6) in section 3672(d)(1), by striking “disabled
20 veterans’ outreach program specialists under section
21 4103A” and inserting “veteran employment special-
22 ists appointed under section 134(f) of the Workforce
23 Investment Act of 1998”; and

24 (7) in section 4104A—

1 (A) in subsection (b)(1), by striking sub-
2 paragraph (A) and inserting the following:

3 “(A) the appropriate veteran employment
4 specialist (in carrying out the functions de-
5 scribed in section 134(f) of the Workforce Invest-
6 ment Act of 1998);” and

7 (B) in subsection (c)(1), by striking sub-
8 paragraph (A) and inserting the following:

9 “(A) collaborate with the appropriate vet-
10 eran employment specialist (as described in sec-
11 tion 134(f)) and the appropriate State boards
12 and local boards (as such terms are defined in
13 section 101 of the Workforce Investment Act of
14 1998 (29 U.S.C. 2801));”.

15 **SEC. 408. CONFORMING AMENDMENT TO TABLE OF CON-**
16 **TENTS.**

17 *The table of contents in section 1(b) is amended to read*
18 *as follows:*

“Sec. 1. Short title; table of contents.

“TITLE I—WORKFORCE INVESTMENT SYSTEMS

“Subtitle A—Workforce Investment Definitions

“Sec. 101. Definitions.

“Subtitle B—Statewide and Local Workforce Investment Systems

“Sec. 106. Purpose.

“CHAPTER 1—STATE PROVISIONS

“Sec. 111. State workforce investment boards.

“Sec. 112. State plan.

“CHAPTER 2—LOCAL PROVISIONS

- “Sec. 116. Local workforce investment areas.*
- “Sec. 117. Local workforce investment boards.*
- “Sec. 118. Local plan.*

“CHAPTER 3—WORKFORCE INVESTMENT ACTIVITIES PROVIDERS

- “Sec. 121. Establishment of one-stop delivery systems.*
- “Sec. 122. Identification of eligible providers of training services.*
- “Sec. 123. [Repealed].*

*“CHAPTER 4—[REPEALED]**“CHAPTER 5—EMPLOYMENT AND TRAINING ACTIVITIES*

- “Sec. 131. General authorization.*
- “Sec. 132. State allotments.*
- “Sec. 133. Within State allocations.*
- “Sec. 134. Use of funds for employment and training activities.*

“CHAPTER 6—GENERAL PROVISIONS

- “Sec. 136. Performance accountability system.*
- “Sec. 137. Authorization of appropriations.*

“Subtitle C—Job Corps

- “Sec. 141. Purposes.*
- “Sec. 142. Definitions.*
- “Sec. 143. Establishment.*
- “Sec. 144. Individuals eligible for the Job Corps.*
- “Sec. 145. Recruitment, screening, selection, and assignment of enrollees.*
- “Sec. 146. Enrollment.*
- “Sec. 147. Job Corps centers.*
- “Sec. 148. Program activities.*
- “Sec. 149. Counseling and job placement.*
- “Sec. 150. Support.*
- “Sec. 151. Operations.*
- “Sec. 152. Standards of conduct.*
- “Sec. 153. Community participation.*
- “Sec. 154. Workforce councils.*
- “Sec. 155. [Repealed].*
- “Sec. 156. Technical assistance to centers.*
- “Sec. 157. Application of provisions of Federal law.*
- “Sec. 158. Special provisions.*
- “Sec. 159. Performance accountability and management.*
- “Sec. 160. General provisions.*
- “Sec. 161. Authorization of appropriations.*

“Subtitle D—National Programs

- “Sec. 166. [Repealed].*
- “Sec. 167. [Repealed].*
- “Sec. 168. [Repealed].*
- “Sec. 169. [Repealed].*
- “Sec. 170. Technical assistance.*
- “Sec. 171. [Repealed].*

“Sec. 172. *Evaluations.*

“Sec. 173. *[Repealed].*

“Sec. 173A. *[Repealed].*

“Sec. 174. *[Repealed].*

“*Subtitle E—Administration*

“Sec. 181. *Requirements and restrictions.*

“Sec. 182. *Prompt allocation of funds.*

“Sec. 183. *Monitoring.*

“Sec. 184. *Fiscal controls; sanctions.*

“Sec. 185. *Reports; recordkeeping; investigations.*

“Sec. 186. *Administrative adjudication.*

“Sec. 187. *Judicial review.*

“Sec. 188. *Nondiscrimination.*

“Sec. 189. *Administrative provisions.*

“Sec. 190. *References.*

“Sec. 191. *State legislative authority.*

“Sec. 192. *[Repealed].*

“Sec. 193. *Transfer of Federal equity in State employment security real property to the States.*

“Sec. 194. *[Repealed].*

“Sec. 195. *General program requirements.*

“Sec. 196. *Federal agency staff.*

“*Subtitle F—Repeals and Conforming Amendments*

“Sec. 199. *Repeals.*

“Sec. 199A. *Conforming amendments.*

“*TITLE II—ADULT EDUCATION AND FAMILY LITERACY EDUCATION*

“Sec. 201. *Short title.*

“Sec. 202. *Purpose.*

“Sec. 203. *Definitions.*

“Sec. 204. *Home schools.*

“Sec. 205. *Authorization of appropriations.*

“*Subtitle A—Federal Provisions*

“Sec. 211. *Reservation of funds; grants to eligible agencies; allotments.*

“Sec. 212. *Performance accountability system.*

“*Subtitle B—State Provisions*

“Sec. 221. *State administration.*

“Sec. 222. *State distribution of funds; matching requirement.*

“Sec. 223. *State leadership activities.*

“Sec. 224. *State plan.*

“Sec. 225. *Programs for corrections education and other institutionalized individuals.*

“*Subtitle C—Local Provisions*

“Sec. 231. *Grants and contracts for eligible providers.*

“Sec. 232. *Local application.*

“Sec. 233. *Local administrative cost limits.*

*“Subtitle D—General Provisions**“Sec. 241. Administrative provisions.**“Sec. 242. National activities.**“TITLE III—WORKFORCE INVESTMENT-RELATED ACTIVITIES**“Subtitle A—Wagner-Peyser Act**“Sec. 301. Definitions.**“Sec. 302. Functions.**“Sec. 303. Designation of State agencies.**“Sec. 304. Appropriations.**“Sec. 305. Disposition of allotted funds.**“Sec. 306. State plans.**“Sec. 307. Repeal of Federal advisory council.**“Sec. 308. Regulations.**“Sec. 309. Employment statistics.**“Sec. 310. Technical amendments.**“Sec. 311. Effective date.**“Subtitle B—Linkages With Other Programs**“Sec. 321. Trade Act of 1974.**“Sec. 322. Veterans’ employment programs.**“Sec. 323. Older Americans Act of 1965.**“Subtitle C—[Repealed]**“Subtitle D—Application of Civil Rights and Labor-Management Laws to the Smithsonian Institution**“Sec. 341. Application of civil rights and labor-management laws to the Smithsonian Institution.**“TITLE IV—REHABILITATION ACT AMENDMENTS OF 1998**“Sec. 401. Short title.**“Sec. 402. Title.**“Sec. 403. General provisions.**“Sec. 404. Vocational rehabilitation services.**“Sec. 405. Research and training.**“Sec. 406. Professional development and special projects and demonstrations.**“Sec. 407. National Council on Disability.**“Sec. 408. Rights and advocacy.**“Sec. 409. Employment opportunities for individuals with disabilities.**“Sec. 410. Independent living services and centers for independent living.**“Sec. 411. [Repealed].**“Sec. 412. Helen Keller National Center Act.**“Sec. 413. President’s Committee on Employment of People With Disabilities.**“Sec. 414. Conforming amendments.**“TITLE V—GENERAL PROVISIONS**“Sec. 501. State unified plan.**“Sec. 502. [Repealed].**“Sec. 503. [Repealed].**“Sec. 504. Privacy.*

“Sec. 505. Buy-American requirements.

“Sec. 506. [Repealed].

“Sec. 507. Effective date.”.

1 **TITLE V—AMENDMENTS TO THE**
2 **REHABILITATION ACT OF 1973**

3 **SEC. 501. FINDINGS.**

4 *Section 2(a) of the Rehabilitation Act of 1973 (29*
5 *U.S.C. 701(a)) is amended—*

6 *(1) in paragraph (5), by striking “and” at the*
7 *end;*

8 *(2) in paragraph (6), by striking the period and*
9 *inserting “; and”; and*

10 *(3) by adding at the end the following:*

11 *“(7) there is a substantial need to improve and*
12 *expand services for students with disabilities under*
13 *this Act.”.*

14 **SEC. 502. REHABILITATION SERVICES ADMINISTRATION.**

15 *(a) REHABILITATION SERVICES ADMINISTRATION.—*
16 *The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) is*
17 *amended—*

18 *(1) in section 3(a) (29 U.S.C. 702(a))—*

19 *(A) by striking “Office of the Secretary”*
20 *and inserting “Department of Education”;*

21 *(B) by striking “President by and with the*
22 *advice and consent of the Senate” and inserting*

23 *“Secretary”; and*

1 (C) by striking “, and the Commissioner
2 shall be the principal officer,”;

3 (2) by striking “Commissioner” each place it ap-
4 pears (except in section 21) and inserting “Director”;

5 (3) in section 12(c) (29 U.S.C. 709), by striking
6 “Commissioner’s” and inserting “Director’s”;

7 (4) in the heading for subparagraph (B) of sec-
8 tion 100(d)(2), by striking “COMMISSIONER” and in-
9 serting “DIRECTOR”;

10 (5) in the heading for section 706, by striking
11 “**COMMISSIONER**” and inserting “**DIRECTOR**”;

12 (6) in the heading for paragraph (3) of section
13 723(a), by striking “COMMISSIONER” and inserting
14 “DIRECTOR”; and

15 (7) in section 21 (29 U.S.C. 718)—

16 (A) in subsection (b)(1)—

17 (i) by striking “Commissioner” the
18 first place it appears and inserting “Direc-
19 tor of the Rehabilitation Services Adminis-
20 tration”;

21 (ii) by striking “(referred to in this
22 subsection as the ‘Director’)”; and

23 (iii) by striking “The Commissioner
24 and the Director” and inserting “Both such
25 Directors”; and

1 (B) by striking “the Commissioner and the
2 Director” each place it appears and inserting
3 “both such Directors”.

4 (b) *EFFECTIVE DATE; APPLICATION.*—The amend-
5 ments made by subsection (a) shall—

6 (1) take effect on the date of the enactment of
7 this Act; and

8 (2) apply with respect to the appointments of
9 Directors of the Rehabilitation Services Administra-
10 tion made on or after the date of enactment of this
11 Act, and the Directors so appointed.

12 **SEC. 503. DEFINITIONS.**

13 Section 7 of the Rehabilitation Act of 1973 (29 U.S.C.
14 705) is amended—

15 (1) by redesignating paragraphs (35) through
16 (39) as paragraphs (36) through (40), respectively;

17 (2) in subparagraph (A)(ii) of paragraph (36)
18 (as redesignated by paragraph (1)), by striking
19 “paragraph (36)(C)” and inserting “paragraph
20 (37)(C)”; and

21 (3) by inserting after paragraph (34) the fol-
22 lowing:

23 “(35)(A) The term ‘student with a disability’
24 means an individual with a disability who—

1 “(i) is not younger than 16 and not
2 older than 21;

3 “(ii) has been determined to be eligible
4 under section 102(a) for assistance under
5 this title; and

6 “(iii)(I) is eligible for, and is receiv-
7 ing, special education under part B of the
8 Individuals with Disabilities Education Act
9 (20 U.S.C. 1411 et seq.); or

10 “(II) is an individual with a dis-
11 ability, for purposes of section 504.

12 “(B) The term ‘students with disabilities’ means
13 more than 1 student with a disability.”.

14 **SEC. 504. STATE PLAN.**

15 Section 101(a) of the Rehabilitation Act of 1973 (29
16 U.S.C. 721(a)) is amended—

17 (1) in paragraph (10)(B) by striking “on the eli-
18 gible individuals” and all that follows through “sec-
19 tion 136(d)(2)” and inserting “of information nec-
20 essary to assess the State’s performance on the core
21 indicators of performance described in section
22 136(b)(2)(A)”;

23 (2) in paragraph (11)—

24 (A) in subparagraph (D)(i), by inserting
25 before the semicolon the following: “, which may

1 *be provided using alternative means of meeting*
2 *participation (such as video conferences and con-*
3 *ference calls)”; and*

4 *(B) by adding at the end the following:*

5 *“(G) COORDINATION WITH ASSISTIVE TECH-*
6 *NOLOGY PROGRAMS.—The State plan shall in-*
7 *clude an assurance that the designated State*
8 *unit and the lead agency or implementing entity*
9 *responsible for carrying out duties under the As-*
10 *istive Technology Act of 1998 (29 U.S.C. 3001*
11 *et seq.) have developed working relationships and*
12 *coordinate their activities.”;*

13 *(3) in paragraph (15)—*

14 *(A) in subparagraph (A)—*

15 *(i) in clause (i)—*

16 *(I) in subclause (II), by striking*
17 *“and” at the end;*

18 *(II) in subclause (III), by adding*
19 *“and” at the end; and*

20 *(III) by adding at the end the fol-*
21 *lowing:*

22 *“(IV) students with disabilities,*
23 *including their need for transition*
24 *services.”;*

1 (ii) by redesignating clauses (ii) and
2 (iii) as clauses (iii) and (iv), respectively;
3 and

4 (iii) by inserting after clause (i) the
5 following:

6 “(ii) include an assessment of the tran-
7 sition services provided under this Act, and
8 coordinated with transition services under
9 the Individuals with Disabilities Education
10 Act, as to those services meeting the needs of
11 individuals with disabilities;”;

12 (B) in subparagraph (D)—

13 (i) by redesignating clauses (iii), (iv),
14 and (v) as clauses (iv), (v), and (vi), respec-
15 tively; and

16 (ii) by inserting after clause (ii) the
17 following:

18 “(iii) the methods to be used to im-
19 prove and expand vocational rehabilitation
20 services for students with disabilities, in-
21 cluding the coordination of services designed
22 to facilitate the transition of such students
23 from the receipt of educational services in
24 school to the receipt of vocational rehabilita-

1 *tion services under this title or to postsec-*
2 *ondary education or employment;”;*

3 *(4) in paragraph (22)—*

4 *(A) by striking “carrying out part B of title*
5 *VI, including”; and*

6 *(B) by striking “that part to supplement*
7 *funds made available under part B of”;*

8 *(5) in paragraph (24)(A), by striking “part A of*
9 *title VI” and inserting “section 109A”; and*

10 *(6) by adding at the end the following:*

11 *“(25) COLLABORATION WITH INDUSTRY.—The*
12 *State plan shall describe how the designated State*
13 *agency will carry out the provisions of section 109A,*
14 *including—*

15 *“(A) the criteria such agency will use to*
16 *award grants under such section; and*

17 *“(B) how the activities carried out under*
18 *such grants will be coordinated with other serv-*
19 *ices provided under this title.*

20 *“(26) SERVICES FOR STUDENTS WITH DISABIL-*
21 *ITIES.—The State plan shall provide an assurance*
22 *satisfactory to the Secretary that the State—*

23 *“(A) has developed and implemented strate-*
24 *gies to address the needs identified in the assess-*
25 *ment described in paragraph (15), and achieve*

1 *the goals and priorities identified by the State,*
2 *to improve and expand vocational rehabilitation*
3 *services for students with disabilities on a state-*
4 *wide basis in accordance with paragraph (15);*
5 *and*

6 *“(B) from funds reserved under section*
7 *110A, shall carry out programs or activities de-*
8 *signed to improve and expand vocational reha-*
9 *ilitation services for students with disabilities*
10 *that—*

11 *“(i) facilitate the transition of students*
12 *with disabilities from the receipt of edu-*
13 *cational services in school, to the receipt of*
14 *vocational rehabilitation services under this*
15 *title, including, at a minimum, those serv-*
16 *ices specified in the interagency agreement*
17 *required in paragraph (11)(D);*

18 *“(ii) improve the achievement of post-*
19 *school goals of students with disabilities, in-*
20 *cluding improving the achievement through*
21 *participation (as appropriate when career*
22 *goals are discussed) in meetings regarding*
23 *individualized education programs devel-*
24 *oped under section 614 of the Individuals*

1 *with Disabilities Education Act (20 U.S.C.*
2 *1414);*

3 “(iii) *provide career guidance, career*
4 *exploration services, job search skills and*
5 *strategies, and technical assistance to stu-*
6 *dents with disabilities;*

7 “(iv) *support the provision of training*
8 *and technical assistance to State and local*
9 *educational agencies and designated State*
10 *agency personnel responsible for the plan-*
11 *ning and provision of services to students*
12 *with disabilities; and*

13 “(v) *support outreach activities to stu-*
14 *dents with disabilities who are eligible for,*
15 *and need, services under this title.”.*

16 **SEC. 505. SCOPE OF SERVICES.**

17 *Section 103 of the Rehabilitation Act of 1973 (29*
18 *U.S.C. 723) is amended—*

19 *(1) in subsection (a), by striking paragraph (15)*
20 *and inserting the following:*

21 “(15) *transition services for students with dis-*
22 *abilities, that facilitate the achievement of the em-*
23 *ployment outcome identified in the individualized*
24 *plan for employment, including services described in*
25 *clauses (i) through (iii) of section 101(a)(26)(B);”;*

1 (2) *in subsection (b), by striking paragraph (6)*
2 *and inserting the following:*

3 “(6)(A)(i) *Consultation and technical assistance*
4 *services to assist State and local educational agencies*
5 *in planning for the transition of students with dis-*
6 *abilities from school to post-school activities, includ-*
7 *ing employment.*

8 “(ii) *Training and technical assistance described*
9 *in section 101(a)(26)(B)(iv).*

10 “(B) *Services for groups of individuals with dis-*
11 *abilities who meet the requirements of clauses (i) and*
12 *(iii) of section 7(35)(A), including services described*
13 *in clauses (i), (ii), (iii), and (v) of section*
14 *101(a)(26)(B), to assist in the transition from school*
15 *to post-school activities.”; and*

16 (3) *in subsection (b) by inserting at the end, the*
17 *following:*

18 “(7) *The establishment, development, or improve-*
19 *ment of assistive technology demonstration, loan, re-*
20 *utilization, or financing programs in coordination*
21 *with activities authorized under the Assistive Tech-*
22 *nology Act of 1998 (29 U.S.C. 3001) to promote ac-*
23 *cess to assistive technology for individuals with dis-*
24 *abilities and employers.”.*

1 **SEC. 506. STANDARDS AND INDICATORS.**

2 *Section 106 of the Rehabilitation Act of 1973 (29*
3 *U.S.C. 726(a)) is amended—*

4 *(1) by striking subsection (a) and inserting the*
5 *following:*

6 *“(a) STANDARDS AND INDICATORS.—The performance*
7 *standards and indicators for the vocational rehabilitation*
8 *program carried out under this title—*

9 *“(1) shall be subject to paragraphs (2)(A) and*
10 *(3) of section 136(b) of the Workforce Investment Act*
11 *of 1998; and*

12 *“(2) may, at a State’s discretion, include addi-*
13 *tional indicators identified in the State plan sub-*
14 *mitted under section 101.”; and*

15 *(2) in subsection (b)(2)(B), by striking clause (i)*
16 *and inserting the following:*

17 *“(i) on a biannual basis, review the*
18 *program improvement efforts of the State*
19 *and, if the State has not improved its per-*
20 *formance to acceptable levels, as determined*
21 *by the Director, direct the State to make re-*
22 *visions to the plan to improve performance;*
23 *and”.*

24 **SEC. 507. COLLABORATION WITH INDUSTRY.**

25 *The Rehabilitation Act of 1973 is amended by insert-*
26 *ing after section 109 (29 U.S.C. 729) the following:*

1 **“SEC. 109A. COLLABORATION WITH INDUSTRY.**

2 “(a) *AUTHORITY.*—A State shall use not less than one-
3 half of one percent of the payment the State receives under
4 section 111 for a fiscal year to award grants to eligible enti-
5 ties to create practical job and career readiness and train-
6 ing programs, and to provide job placements and career ad-
7 vancement.

8 “(b) *APPLICATION.*—To receive a grant under this sec-
9 tion, an eligible entity shall submit an application to a des-
10 ignated State agency at such time, in such manner, and
11 containing such information as such agency shall require.
12 Such application shall include, at a minimum—

13 “(1) a plan for evaluating the effectiveness of the
14 program;

15 “(2) a plan for collecting and reporting the data
16 and information described under subparagraphs (A)
17 through (C) of section 101(a)(10), as determined ap-
18 propriate by the designated State agency; and

19 “(3) a plan for providing for the non-Federal
20 share of the costs of the program.

21 “(c) *ACTIVITIES.*—An eligible entity receiving a grant
22 under this section shall use the grant funds to carry out
23 a program that provides one or more of the following:

24 “(1) Job development, job placement, and career
25 advancement services for individuals with disabilities.

1 “(2) *Training in realistic work settings in order*
2 *to prepare individuals with disabilities for employ-*
3 *ment and career advancement in the competitive*
4 *market.*

5 “(3) *Providing individuals with disabilities with*
6 *such support services as may be required in order to*
7 *maintain the employment and career advancement*
8 *for which the individuals have received training.*

9 “(d) *AWARDS.—Grants under this section shall—*

10 “(1) *be awarded for a period not to exceed 5*
11 *years; and*

12 “(2) *be awarded competitively.*

13 “(e) *ELIGIBLE ENTITY DEFINED.—For the purposes of*
14 *this section, the term ‘eligible entity’ means a for-profit*
15 *business, alone or in partnership with one or more of the*
16 *following:*

17 “(1) *Community rehabilitation program pro-*
18 *viders.*

19 “(2) *Indian tribes.*

20 “(3) *Tribal organizations.*

21 “(f) *FEDERAL SHARE.—The Federal share of a pro-*
22 *gram under this section shall not exceed 80 percent of the*
23 *costs of the program.*

24 “(g) *ELIGIBILITY FOR SERVICES.—An individual*
25 *shall be eligible for services provided under a program*

1 *under this section if the individual is determined under sec-*
2 *tion 102(a)(1) to be eligible for assistance under this title.”.*

3 **SEC. 508. RESERVATION FOR EXPANDED TRANSITION SERV-**
4 **ICES.**

5 *The Rehabilitation Act of 1973 is amended by insert-*
6 *ing after section 110 (29 U.S.C. 730) the following:*

7 **“SEC. 110A. RESERVATION FOR EXPANDED TRANSITION**
8 **SERVICES.**

9 *“Each State shall reserve not less than 10 percent of*
10 *the funds allotted to the State under section 110(a) to carry*
11 *out programs and activities under sections 101(a)(26)(B)*
12 *and 103(b)(6).”.*

13 **SEC. 509. CLIENT ASSISTANCE PROGRAM.**

14 *Section 112(e)(1) of the Rehabilitation Act of 1973 (29*
15 *U.S.C. 732(e)(1)) is amended by redesignating subpara-*
16 *graph (D) as subparagraph (E) and inserting after sub-*
17 *paragraph (C) the following:*

18 *“(D) The Secretary shall make grants to the*
19 *protection and advocacy system serving the*
20 *American Indian Consortium to provide services*
21 *in accordance with this section. The amount of*
22 *such grants shall be the same as provided to ter-*
23 *ritories under this subsection.”.*

1 **SEC. 510. TITLE III AMENDMENTS.**

2 *Title III of the Rehabilitation Act of 1973 (29 U.S.C.*
3 *771 et seq.) is amended—*

4 *(1) in section 301(a)—*

5 *(A) in paragraph (2), by inserting “and” at*
6 *the end;*

7 *(B) by striking paragraphs (3) and (4); and*

8 *(C) by redesignating paragraph (5) as*
9 *paragraph (3);*

10 *(2) in section 302(g)—*

11 *(A) in the heading, by striking “AND IN-*
12 *SERVICE TRAINING”; and*

13 *(B) by striking paragraph (3);*

14 *(3) in section 303(c)—*

15 *(A) in paragraph (4)—*

16 *(i) by amending subparagraph (A)(ii)*
17 *to read as follows:*

18 *“(ii) to coordinate and work closely*
19 *with the parent training and information*
20 *centers established pursuant to section 671*
21 *of the Individuals with Disabilities Edu-*
22 *cation Act, the community parent resource*
23 *centers established pursuant to section 672*
24 *of such Act, and the eligible entities receiv-*
25 *ing awards under section 673 of such Act;*
26 *and”; and*

1 (ii) in subparagraph (C), by inserting
2 “, and demonstrate the capacity for serv-
3 ing,” after “serve”; and

4 (B) by adding at the end the following:

5 “(8) *RESERVATION.*—From the amount appro-
6 priated to carry out this subsection for a fiscal year,
7 20 percent of such amount or \$500,000, whichever is
8 less, shall be reserved to carry out paragraph (6).”;

9 (4) by striking sections 304 and 305; and

10 (5) by redesignating section 306 as section 304.

11 **SEC. 511. REPEAL OF TITLE VI.**

12 *The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.)*
13 *is amended by repealing title VI.*

14 **SEC. 512. CHAIRPERSON.**

15 *Section 705(b)(5) of the Rehabilitation Act of 1973 (29*
16 *U.S.C. 796d(b)(5)) is amended to read as follows:*

17 “(5) *CHAIRPERSON.*—*The Council shall select a*
18 *chairperson from among the voting membership of the*
19 *Council.”.*

20 **SEC. 513. AUTHORIZATIONS OF APPROPRIATIONS.**

21 *The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.)*
22 *is further amended—*

23 (1) in section 100(b)(1) (29 U.S.C. 720(b)(1)),
24 by striking “such sums as may be necessary for fiscal
25 years 1999 through 2003” and inserting

1 “\$3,121,712,000 for fiscal year 2014 and each of the
2 6 succeeding fiscal years”;

3 (2) in section 110(c) (29 U.S.C. 730(c)), by
4 amending paragraph (2) to read as follows:

5 “(2) The sum referred to in paragraph (1) shall
6 be, as determined by the Secretary, not less than 1
7 percent and not more than 1.5 percent of the amount
8 referred to in paragraph (1) for each of fiscal years
9 2014 through 2020.”;

10 (3) in section 112(h) (29 U.S.C. 732(h)) by strik-
11 ing “such sums as may be necessary for fiscal years
12 1999 through 2003” and inserting “\$12,240,000 for
13 fiscal year 2014 and each of the 6 succeeding fiscal
14 years”;

15 (4) by amending subsection (a) of section 201
16 (29 U.S.C. 761(a)) to read as follows: “(a) There are
17 authorized to be appropriated \$108,817,000 for fiscal
18 year 2014 and each of the 6 succeeding fiscal years
19 to carry out this title.”;

20 (5) in section 302(i) (29 U.S.C. 772(i)) by strik-
21 ing “such sums as may be necessary for each of the
22 fiscal years 1999 through 2003” and inserting
23 “\$35,515,000 for fiscal year 2014 and each of the 6
24 succeeding fiscal years”;

1 (6) in section 303(e) (29 U.S.C. 773(e)) by strik-
2 ing “such sums as may be necessary for each of the
3 fiscal years 1999 through 2003” and inserting
4 “\$5,325,000 for fiscal year 2014 and each of the 6
5 succeeding fiscal years”;

6 (7) in section 405 (29 U.S.C. 785) by striking
7 “such sums as may be necessary for each of the fiscal
8 years 1999 through 2003” and inserting “\$3,258,000
9 for fiscal year 2014 and each of the 6 succeeding fis-
10 cal years”;

11 (8) in section 502(j) (29 U.S.C. 792(j)) by strik-
12 ing “such sums as may be necessary for each of the
13 fiscal years 1999 through 2003” and inserting
14 “\$7,400,000 for fiscal year 2014 and each of the 6
15 succeeding fiscal years”;

16 (9) in section 509(l) (29 U.S.C. 794e(l)) by strik-
17 ing “such sums as may be necessary for each of the
18 fiscal years 1999 through 2003” and inserting
19 “\$18,031,000 for fiscal year 2014 and each of the 6
20 succeeding fiscal years”;

21 (10) in section 714 (29 U.S.C. 796e-3), by strik-
22 ing “such sums as may be necessary for each of the
23 fiscal years 1999 through 2003” and inserting
24 “\$23,359,000 for fiscal year 2014 and each of the 6
25 succeeding fiscal years”;

1 (11) in section 727 (29 U.S.C. 796f–6), by strik-
2 ing “such sums as may be necessary for each of the
3 fiscal years 1999 through 2003” and inserting
4 “\$79,953,000 for fiscal year 2014 and each of the 6
5 succeeding fiscal years”; and

6 (12) in section 753 (29 U.S.C. 7961), by striking
7 “such sums as may be necessary for each of the fiscal
8 years 1999 through 2003” and inserting “\$34,018,000
9 for fiscal year 2014 and each of the 6 succeeding fis-
10 cal years”.

11 **SEC. 514. CONFORMING AMENDMENTS.**

12 Section 1(b) of the Rehabilitation Act of 1973 is
13 amended—

14 (1) by inserting after the item relating to section
15 109 the following:

“Sec. 109A. Collaboration with industry.”;

16 (2) by inserting after the item relating to section
17 110 the following:

“Sec. 110A. Reservation for expanded transition services.”;

18 (3) by striking the item related to section 304
19 and inserting the following:

“Sec. 304. Measuring of project outcomes and performance.”;

20 (4) by striking the items related to sections 305
21 and 306; and

22 (5) by striking the items related to title VI.

Union Calendar No. 9

113TH CONGRESS
1ST Session

H. R. 803

[Report No. 113-14, Part I]

A BILL

To reform and strengthen the workforce investment system of the Nation to put Americans back to work and make the United States more competitive in the 21st century.

MARCH 12, 2013

Reported from the Committee on Education and the Workforce with an amendment

MARCH 12, 2013

The Committees on the Judiciary, Agriculture, Veterans' Affairs, Energy and Commerce, and Transportation and Infrastructure discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed